

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 18, 2012

HOUSE FILE 2435

H-8459

1 Amend House File 2435 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

<DIVISION I

DEPARTMENT ON AGING

6 Section 1. 2011 Iowa Acts, chapter 129, section
7 113, is amended to read as follows:

8 SEC. 113. DEPARTMENT ON AGING. There is
9 appropriated from the general fund of the state to
10 the department on aging for the fiscal year beginning
11 July 1, 2012, and ending June 30, 2013, the following
12 amount, or so much thereof as is necessary, to be used
13 for the purposes designated:

14 For aging programs for the department on aging and
15 area agencies on aging to provide citizens of Iowa who
16 are 60 years of age and older with case management for
17 frail elders, Iowa's aging and disabilities resource
18 center, and other services which may include but are
19 not limited to adult day services, respite care, chore
20 services, information and assistance, and material aid,
21 for information and options counseling for persons with
22 disabilities who are 18 years of age or older, and
23 for salaries, support, administration, maintenance,
24 and miscellaneous purposes, and for not more than the
25 following full-time equivalent positions:

26	\$	5,151,288
27		10,402,577
28	FTEs	<u>35.00</u> <u>36.00</u>

29 1. Funds appropriated in this section may be used
30 to supplement federal funds under federal regulations.
31 To receive funds appropriated in this section, a local
32 area agency on aging shall match the funds with moneys
33 from other sources according to rules adopted by the
34 department. Funds appropriated in this section may be
35 used for elderly services not specifically enumerated
36 in this section only if approved by an area agency on
37 aging for provision of the service within the area.

38 ~~2. The amount appropriated in this section includes~~
39 ~~additional funding of \$225,000 for delivery of~~
40 ~~long term care services to seniors with low or moderate~~
41 ~~incomes.~~

42 3. Of the funds appropriated in this section,
43 ~~\$89,973~~ \$179,946 shall be transferred to the department
44 of economic development for the Iowa commission on
45 volunteer services to be used for the retired and
46 senior volunteer program.

47 4. a. The department on aging shall establish and
48 enforce procedures relating to expenditure of state and
49 federal funds by area agencies on aging that require
50 compliance with both state and federal laws, rules, and

H-8459

1 regulations, including but not limited to all of the
2 following:

3 (1) Requiring that expenditures are incurred only
4 for goods or services received or performed prior to
5 the end of the fiscal period designated for use of the
6 funds.

7 (2) Prohibiting prepayment for goods or services
8 not received or performed prior to the end of the
9 fiscal period designated for use of the funds.

10 (3) Prohibiting the prepayment for goods or
11 services not defined specifically by good or service,
12 time period, or recipient.

13 (4) Prohibiting the establishment of accounts from
14 which future goods or services which are not defined
15 specifically by good or service, time period, or
16 recipient, may be purchased.

17 b. The procedures shall provide that if any funds
18 are expended in a manner that is not in compliance with
19 the procedures and applicable federal and state laws,
20 rules, and regulations, and are subsequently subject
21 to repayment, the area agency on aging expending such
22 funds in contravention of such procedures, laws, rules
23 and regulations, not the state, shall be liable for
24 such repayment.

25 5. Of the funds appropriated in this section,
26 \$100,000 shall be used to provide an additional local
27 long-term care resident's advocate to administer the
28 certified volunteer long-term care resident's advocate
29 program pursuant to section 231.45 as enacted in this
30 2012 Act. It is the intent of the general assembly
31 that the number of local long-term care resident's
32 advocates as provided in section 231.42 be increased
33 each year until 15 local long-term care resident's
34 advocates are available in the state.

35 DIVISION II

36 DEPARTMENT OF PUBLIC HEALTH

37 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
38 is amended to read as follows:

39 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
40 appropriated from the general fund of the state to
41 the department of public health for the fiscal year
42 beginning July 1, 2012, and ending June 30, 2013, the
43 following amounts, or so much thereof as is necessary,
44 to be used for the purposes designated:

45 1. ADDICTIVE DISORDERS

46 For reducing the prevalence of use of tobacco,
47 alcohol, and other drugs, and treating individuals
48 affected by addictive behaviors, including gambling,
49 and for not more than the following full-time
50 equivalent positions:

1	\$ 11,751,595
2	<u>25,653,190</u>
3	FTEs <u>13.00</u>

4 a. (1) Of the funds appropriated in this
 5 subsection, ~~-\$1,626,915~~ \$5,403,830 shall be used for
 6 the tobacco use prevention and control initiative,
 7 including efforts at the state and local levels, as
 8 provided in chapter 142A. The commission on tobacco
 9 use prevention and control established pursuant to
 10 section 142A.3 shall advise the director of public
 11 health in prioritizing funding needs and the allocation
 12 of moneys appropriated for the programs and activities
 13 of the initiative under this subparagraph (1) and shall
 14 make recommendations to the director in the development
 15 of budget requests relating to the initiative.

16 (2) (a) Of the funds allocated in this paragraph
 17 "a", ~~-\$226,915~~ \$453,830 shall be transferred to the
 18 alcoholic beverages division of the department of
 19 commerce for enforcement of tobacco laws, regulations,
 20 and ordinances in accordance with 2011 Iowa Acts, ~~House~~
 21 ~~File 467, as enacted~~ chapter 63.

22 (b) For the fiscal year beginning July 1, 2012,
 23 and ending June 30, 2013, the terms of a chapter
 24 28D agreement, entered into between the division of
 25 tobacco use prevention and control of the department
 26 of public health and the alcoholic beverages division
 27 of the department of commerce, governing compliance
 28 checks conducted to ensure licensed retail tobacco
 29 outlet conformity with tobacco laws, regulations, and
 30 ordinances relating to persons under eighteen years of
 31 age, shall restrict the number of such checks to one
 32 check per retail outlet, and one additional check for
 33 any retail outlet found to be in violation during the
 34 first check.

35 b. Of the funds appropriated in this subsection,
 36 ~~-\$10,124,680~~ \$20,249,360 shall be used for problem
 37 gambling and substance abuse prevention, treatment,
 38 and recovery services, including a 24-hour helpline,
 39 public information resources, professional training,
 40 and program evaluation.

41 (1) Of the funds allocated in this paragraph "b",
 42 ~~-\$8,566,254~~ \$17,132,508 shall be used for substance
 43 abuse prevention and treatment.

44 (a) Of the funds allocated in this subparagraph
 45 (1), ~~-\$449,650~~ \$899,300 shall be used for the public
 46 purpose of a grant program to provide substance abuse
 47 prevention programming for children.

48 (i) Of the funds allocated in this subparagraph
 49 division (a), ~~-\$213,769~~ \$427,539 shall be used for grant
 50 funding for organizations that provide programming for

1 children by utilizing mentors. Programs approved for
2 such grants shall be certified or will be certified
3 within six months of receiving the grant award by the
4 Iowa commission on volunteer services as utilizing
5 the standards for effective practice for mentoring
6 programs.

7 (ii) Of the funds allocated in this subparagraph
8 division (a), ~~-\$213,419~~ \$426,839 shall be used for grant
9 funding for organizations that provide programming
10 that includes youth development and leadership. The
11 programs shall also be recognized as being programs
12 that are scientifically based with evidence of their
13 effectiveness in reducing substance abuse in children.

14 (iii) The department of public health shall utilize
15 a request for proposals process to implement the grant
16 program.

17 (iv) All grant recipients shall participate in a
18 program evaluation as a requirement for receiving grant
19 funds.

20 (v) Of the funds allocated in this subparagraph
21 division (a), up to ~~-\$22,461~~ \$44,922 may be used to
22 administer substance abuse prevention grants and for
23 program evaluations.

24 (b) Of the funds allocated in this subparagraph
25 (1), ~~-\$136,531~~ \$273,062 shall be used for culturally
26 competent substance abuse treatment pilot projects.

27 (i) The department shall utilize the amount
28 allocated in this subparagraph division (b) for at
29 least three pilot projects to provide culturally
30 competent substance abuse treatment in various areas
31 of the state. Each pilot project shall target a
32 particular ethnic minority population. The populations
33 targeted shall include but are not limited to African
34 American, Asian, and Latino.

35 (ii) The pilot project requirements shall provide
36 for documentation or other means to ensure access
37 to the cultural competence approach used by a pilot
38 project so that such approach can be replicated and
39 improved upon in successor programs.

40 (2) Of the funds allocated in this paragraph "b",
41 up to ~~-\$1,558,426~~ \$3,116,852 may be used for problem
42 gambling prevention, treatment, and recovery services.

43 (a) Of the funds allocated in this subparagraph
44 (2), ~~-\$1,289,500~~ \$2,579,000 shall be used for problem
45 gambling prevention and treatment.

46 (b) Of the funds allocated in this subparagraph
47 (2), up to ~~-\$218,926~~ \$437,852 may be used for a 24-hour
48 helpline, public information resources, professional
49 training, and program evaluation.

50 (c) Of the funds allocated in this subparagraph

1 (2), up to ~~-\$50,000~~ \$100,000 may be used for the
2 licensing of problem gambling treatment programs.

3 (3) It is the intent of the general assembly that
4 from the moneys allocated in this paragraph "b",
5 persons with a dual diagnosis of substance abuse
6 and gambling addictions shall be given priority in
7 treatment services.

8 c. Notwithstanding any provision of law to the
9 contrary, to standardize the availability, delivery,
10 cost of delivery, and accountability of problem
11 gambling and substance abuse treatment services
12 statewide, the department shall continue implementation
13 of a process to create a system for delivery of
14 treatment services in accordance with the requirements
15 specified in 2008 Iowa Acts, chapter 1187, section
16 3, subsection 4. To ensure the system provides a
17 continuum of treatment services that best meets the
18 needs of Iowans, the problem gambling and substance
19 abuse treatment services in any area may be provided
20 either by a single agency or by separate agencies
21 submitting a joint proposal.

22 (1) The system for delivery of substance abuse
23 and problem gambling treatment shall include problem
24 gambling prevention.

25 (2) The system for delivery of substance abuse and
26 problem gambling treatment shall include substance
27 abuse prevention by July 1, 2014.

28 (3) Of the funds allocated in paragraph "b",
29 the department may use up to ~~-\$50,000~~ \$100,000 for
30 administrative costs to continue developing and
31 implementing the process in accordance with this
32 paragraph "c".

33 d. The requirement of section 123.53, subsection
34 5, is met by the appropriations and allocations made
35 in this Act for purposes of substance abuse treatment
36 and addictive disorders for the fiscal year beginning
37 July 1, 2012.

38 e. The department of public health shall work
39 with all other departments that fund substance
40 abuse prevention and treatment services and all
41 such departments shall, to the extent necessary,
42 collectively meet the state maintenance of effort
43 requirements for expenditures for substance abuse
44 services as required under the federal substance abuse
45 prevention and treatment block grant.

46 f. The department shall amend or otherwise
47 revise departmental policies and contract provisions
48 in order to eliminate free t-shirt distribution,
49 banner production, and other unnecessary promotional
50 expenditures.

1 2. HEALTHY CHILDREN AND FAMILIES

2 For promoting the optimum health status for
3 children, adolescents from birth through 21 years of
4 age, and families, and for not more than the following
5 full-time equivalent positions:

6	\$	1,297,135
7		2,694,270
8	FTEs	10.00

9 a. Of the funds appropriated in this subsection,
10 not more than ~~—\$369,659~~ \$739,318 shall be used for
11 the healthy opportunities to experience success
12 (HOPES)-healthy families Iowa (HFI) program established
13 pursuant to section 135.106. The funding shall be
14 distributed to renew the grants that were provided
15 to the grantees that operated the program during the
16 fiscal year ending June 30, 2012.

17 Ob. (1) In order to implement the legislative
18 intent stated in sections 135.106 and 256I.9, that
19 priority for home visitation program funding be given
20 to programs using evidence-based or promising models
21 for home visitation, it is the intent of the general
22 assembly to phase-in the funding priority as follows:

23 (a) By July 1, 2013, 25 percent of state
24 funds expended for home visiting programs are for
25 evidence-based or promising program models.

26 (b) By July 1, 2014, 50 percent of state
27 funds expended for home visiting programs are for
28 evidence-based or promising program models.

29 (c) By July 1, 2015, 75 percent of state
30 funds expended for home visiting programs are for
31 evidence-based or promising program models.

32 (d) By July 1, 2016, 90 percent of state
33 funds expended for home visiting programs are for
34 evidence-based or promising program models. The
35 remaining 10 percent of funds may be used for
36 innovative program models that do not yet meet the
37 definition of evidence-based or promising programs.

38 (2) For the purposes of this lettered paragraph,
39 unless the context otherwise requires:

40 (a) "Evidence-based program" means a program that
41 is based on scientific evidence demonstrating that
42 the program model is effective. An evidence-based
43 program shall be reviewed onsite and compared to
44 program model standards by the model developer or the
45 developer's designee at least every five years to
46 ensure that the program continues to maintain fidelity
47 with the program model. The program model shall have
48 had demonstrated significant and sustained positive
49 outcomes in an evaluation utilizing a well-designed and
50 rigorous randomized controlled research design or a

1 quasi-experimental research design, and the evaluation
2 results shall have been published in a peer-reviewed
3 journal.

4 (b) "Family support programs" includes group-based
5 parent education or home visiting programs that are
6 designed to strengthen protective factors, including
7 parenting skills, increasing parental knowledge of
8 child development, and increasing family functioning
9 and problem solving skills. A family support program
10 may be used as an early intervention strategy to
11 improve birth outcomes, parental knowledge, family
12 economic success, the home learning environment, family
13 and child involvement with others, and coordination
14 with other community resources. A family support
15 program may have a specific focus on preventing child
16 maltreatment or ensuring children are safe, healthy,
17 and ready to succeed in school.

18 (c) "Promising program" means a program that meets
19 all of the following requirements:

20 (i) The program conforms to a clear, consistent
21 family support model that has been in existence for at
22 least three years.

23 (ii) The program is grounded in relevant
24 empirically-based knowledge.

25 (iii) The program is linked to program-determined
26 outcomes.

27 (iv) The program is associated with a national
28 or state organization that either has comprehensive
29 program standards that ensure high-quality service
30 delivery and continuous program quality improvement
31 or the program model has demonstrated through the
32 program's benchmark outcomes that the program has
33 achieved significant positive outcomes equivalent
34 to those achieved by program models with published
35 significant and sustained results in a peer-reviewed
36 journal.

37 (v) The program has been awarded the Iowa family
38 support credential and has been reviewed onsite
39 at least every five years to ensure the program's
40 adherence to the Iowa family support standards approved
41 by the early childhood Iowa state board created in
42 section 256I.3 or a comparable set of standards. The
43 onsite review is completed by an independent review
44 team that is not associated with the program or the
45 organization administering the program.

46 (3) (a) The data reporting requirements applicable
47 to the HOPES-HFI program services shall include the
48 requirements adopted by the early childhood Iowa state
49 board pursuant to section 256I.4 for the family support
50 programs targeted to families expecting a child or

1 with newborn and infant children through age five and
2 funded through the state board. The department of
3 public health may specify additional data reporting
4 requirements for the HOPES-HFI program services.
5 The HOPES-HFI program services shall be required to
6 participate in a state administered internet-based
7 data collection system by July 1, 2013. The annual
8 reporting concerning the HOPES-HFI program services
9 shall include program outcomes beginning with the 2015
10 report.

11 (b) The data on families served that is collected
12 by the HOPES-HFI program shall include but is not
13 limited to basic demographic information, services
14 received, funding utilized, and program outcomes for
15 the children and families served.

16 (c) The HOPES-HFI program shall work with the early
17 childhood Iowa state board in the state board's efforts
18 to identify minimum competency standards for the
19 employees and supervisors of family support programs
20 funded. The HOPES-HFI program, along with the state
21 board, shall submit recommendations concerning the
22 standards to the governor and general assembly on or
23 before January 1, 2014.

24 (d) On or before January 1, 2013, the HOPES-HFI
25 program shall adopt criminal and child abuse record
26 check requirements for the employees and supervisors of
27 family support programs funded through the program.

28 (e) The HOPES-HFI program shall work with the early
29 childhood Iowa state board in the state board's efforts
30 to develop a plan to implement a coordinated intake and
31 referral process for publicly funded family support
32 programs in order to engage the families expecting a
33 child or with newborn and infant children through age
34 five in all communities in the state by July 1, 2015.

35 b. Of the funds appropriated in this subsection,
36 ~~-\$164,942~~ \$329,885 shall be used to continue to address
37 the healthy mental development of children from birth
38 through five years of age through local evidence-based
39 strategies that engage both the public and private
40 sectors in promoting healthy development, prevention,
41 and treatment for children. The department shall work
42 with the department of human services, Iowa Medicaid
43 enterprise, to develop a plan to secure matching
44 medical assistance program funding to provide services
45 under this paragraph, which may include a per member
46 per month payment to reimburse the care coordination
47 and community outreach services component that links
48 young children and their families with identified
49 service needs.

50 c. Of the funds appropriated in this subsection,

1 ~~-\$15,798~~ \$31,597 shall be distributed to a statewide
 2 dental carrier to provide funds to continue the donated
 3 dental services program patterned after the projects
 4 developed by the lifeline network to provide dental
 5 services to indigent elderly and disabled individuals.

6 d. Of the funds appropriated in this subsection,
 7 ~~-\$56,338~~ \$112,677 shall be used for childhood obesity
 8 prevention.

9 e. Of the funds appropriated in this subsection,
 10 ~~-\$81,880~~ \$163,760 shall be used to provide audiological
 11 services and hearing aids for children. The department
 12 may enter into a contract to administer this paragraph.

13 f. Of the funds appropriated in this subsection,
 14 \$100,000 shall be transferred to the university of Iowa
 15 college of dentistry for provision of primary dental
 16 services to children. State funds shall be matched
 17 on a dollar-for-dollar basis. The university of Iowa
 18 college of dentistry shall coordinate efforts with the
 19 department of public health, bureau of oral health,
 20 to provide dental care to underserved populations
 21 throughout the state.

22 3. CHRONIC CONDITIONS

23 For serving individuals identified as having chronic
 24 conditions or special health care needs, and for not
 25 more than the following full-time equivalent positions:

26	\$	1,680,828
27		<u>3,919,028</u>
28	FTEs	4.00
29		<u>5.00</u>

30 a. Of the funds appropriated in this subsection,
 31 ~~-\$80,291~~ \$160,582 shall be used for grants to individual
 32 patients who have phenylketonuria (PKU) to assist with
 33 the costs of necessary special foods.

34 b. Of the funds appropriated in this subsection,
 35 ~~-\$241,800~~ \$483,600 is allocated for continuation of
 36 the contracts for resource facilitator services in
 37 accordance with section 135.22B, subsection 9, and
 38 for brain injury training services and recruiting of
 39 service providers to increase the capacity within this
 40 state to address the needs of individuals with brain
 41 injuries and such individuals' families.

42 c. Of the funds appropriated in this subsection,
 43 ~~-\$249,437~~ \$550,000 shall be used as additional funding
 44 to leverage federal funding through the federal Ryan
 45 White Care Act, Tit. II, AIDS drug assistance program
 46 supplemental drug treatment grants.

47 d. Of the funds appropriated in this subsection,
 48 ~~-\$15,627~~ \$50,000 shall be used for the public purpose of
 49 providing a grant to an existing national-affiliated
 50 organization to provide education, client-centered

1 programs, and client and family support for people
2 living with epilepsy and their families.

3 e. Of the funds appropriated in this subsection,
4 ~~-\$394,151~~ \$788,303 shall be used for child health
5 specialty clinics.

6 f. Of the funds appropriated in this subsection,
7 ~~-\$248,533~~ \$497,065 shall be used for the comprehensive
8 cancer control program to reduce the burden of cancer
9 in Iowa through prevention, early detection, effective
10 treatment, and ensuring quality of life. Of the funds
11 allocated in this lettered paragraph, ~~-\$75,000~~ \$150,000
12 shall be used to support a melanoma research symposium,
13 a melanoma biorepository and registry, basic and
14 translational melanoma research, and clinical trials.

15 g. Of the funds appropriated in this subsection,
16 ~~-\$63,225~~ \$126,450 shall be used for cervical and colon
17 cancer screening.

18 h. Of the funds appropriated in this subsection,
19 ~~-\$264,417~~ \$528,834 shall be used for the center for
20 congenital and inherited disorders. A portion of
21 the funds allocated in this lettered paragraph may
22 be used for one full-time equivalent position for
23 administration of the center.

24 i. Of the funds appropriated in this subsection,
25 ~~-\$64,968~~ \$129,937 shall be used for the prescription
26 drug donation repository program created in chapter
27 135M.

28 j. For provision of early prevention screening
29 by pap smear and advanced screening by colposcope for
30 women with incomes below 250 percent of the federal
31 poverty level, as defined by the most recently revised
32 poverty income guidelines issued by the United States
33 department of health and human services, who are
34 not covered by a third-party payer health policy or
35 contract that pays for such procedures and related
36 laboratory services:

37 \$ 500,000

38 The department shall distribute the amount
39 appropriated in this lettered paragraph to providers
40 on behalf of eligible persons within the target
41 population.

42 4. COMMUNITY CAPACITY

43 For strengthening the health care delivery system at
44 the local level, and for not more than the following
45 full-time equivalent positions:

46 \$ 2,117,583

47 5,485,547

48 FTEs 14.00

49 a. Of the funds appropriated in this subsection,
50 ~~-\$50,000~~ \$100,000 is allocated for a child vision

1 screening program implemented through the university of
2 Iowa hospitals and clinics in collaboration with early
3 childhood Iowa areas.

4 b. Of the funds appropriated in this subsection,
5 ~~-\$55,654~~ \$111,308 is allocated for continuation of an
6 initiative implemented at the university of Iowa and
7 ~~-\$50,246~~ \$100,493 is allocated for continuation of an
8 initiative at the state mental health institute at
9 Cherokee to expand and improve the workforce engaged in
10 mental health treatment and services. The initiatives
11 shall receive input from the university of Iowa, the
12 department of human services, the department of public
13 health, and the mental health and disability services
14 commission to address the focus of the initiatives.

15 c. Of the funds appropriated in this subsection,
16 ~~-\$585,745~~ \$1,171,491 shall be used for essential public
17 health services that promote healthy aging throughout
18 the lifespan, contracted through a formula for local
19 boards of health, to enhance health promotion and
20 disease prevention services.

21 d. Of the funds appropriated in this section,
22 ~~-\$60,908~~ \$121,817 shall be deposited in the governmental
23 public health system fund created in section 135A.8 to
24 be used for the purposes of the fund.

25 e. Of the funds appropriated in this subsection,
26 ~~-\$72,271~~ \$144,542 shall be used for the mental health
27 professional shortage area program implemented pursuant
28 to section 135.80.

29 f. Of the funds appropriated in this subsection,
30 ~~-\$19,131~~ \$38,263 shall be used for a grant to a
31 statewide association of psychologists that is
32 affiliated with the American psychological association
33 to be used for continuation of a program to rotate
34 intern psychologists in placements in urban and rural
35 mental health professional shortage areas, as defined
36 in section ~~135.80~~ 135.180.

37 g. Of the funds appropriated in this subsection,
38 the following amounts shall be allocated to the Iowa
39 collaborative safety net provider network established
40 pursuant to section 135.153 to be used for the purposes
41 designated. The following amounts allocated under
42 this lettered paragraph shall be distributed to
43 the specified provider and shall not be reduced for
44 administrative or other costs prior to distribution:

45 (1) For distribution to the Iowa primary care
46 association for statewide coordination of the Iowa
47 collaborative safety net provider network:

48	\$	66,290
49		<u>150,000</u>

50 (1A) For distribution to the Iowa primary care

1 association to be used for the following women's health
2 initiatives:

3 (a) To establish a grant program for training
4 sexual assault response team (SART) members, including
5 representatives of law enforcement, victim advocates,
6 prosecutors, and certified medical personnel:
7 \$ 50,000

8 (b) To promote access to primary and preventive
9 health care and for provision of assistance to patients
10 in determining an appropriate medical home:
11 \$ 75,000

12 (1B) For distribution to federally qualified
13 health centers for necessary infrastructure, statewide
14 coordination, provider recruitment, service delivery,
15 and provision of assistance to patients in determining
16 an appropriate medical home:
17 \$ 125,000

18 (2) For distribution to the local boards of health
19 that provide direct services for pilot programs in
20 three counties to assist patients in determining an
21 appropriate medical home:
22 \$ ~~38,804~~
23 77,609

24 (3) For distribution to maternal and child health
25 centers for pilot programs in three counties to assist
26 patients in determining an appropriate medical home:
27 \$ ~~38,804~~
28 100,000

29 (4) For distribution to free clinics for necessary
30 infrastructure, statewide coordination, provider
31 recruitment, service delivery, and provision of
32 assistance to patients in determining an appropriate
33 medical home:
34 \$ ~~62,025~~
35 424,050

36 (5) For distribution to rural health clinics for
37 necessary infrastructure, statewide coordination,
38 provider recruitment, service delivery, and provision
39 of assistance to patients in determining an appropriate
40 medical home:
41 \$ ~~55,215~~
42 150,000

43 (6) For continuation of the safety net provider
44 patient access to specialty health care initiative as
45 described in 2007 Iowa Acts, chapter 218, section 109:
46 \$ ~~130,000~~
47 400,000

48 (7) For continuation of the pharmaceutical
49 infrastructure for safety net providers as described in
50 2007 Iowa Acts, chapter 218, section 108:

1	\$	135,000
2		<u>435,000</u>

3 The Iowa collaborative safety net provider network
 4 may continue to distribute funds allocated pursuant to
 5 this lettered paragraph through existing contracts or
 6 renewal of existing contracts.

7 ~~h. (1) Of the funds appropriated in this~~
 8 ~~subsection, \$74,500 shall be used for continued~~
 9 ~~implementation of the recommendations of the direct~~
 10 ~~care worker task force established pursuant to 2005~~
 11 ~~Iowa Acts, chapter 88, based upon the report submitted~~
 12 ~~to the governor and the general assembly in December~~
 13 ~~2006. The department may use a portion of the funds~~
 14 ~~allocated in this lettered paragraph for an additional~~
 15 ~~position to assist in the continued implementation.~~

16 i. (1) Of the funds appropriated in this
 17 subsection, ~~-\$65,050~~ \$145,100 shall be used for
 18 allocation to an independent statewide direct care
 19 worker association that serves the entirety of the
 20 direct care workforce under a contract with terms
 21 determined by the director of public health relating
 22 to education, outreach, leadership development,
 23 mentoring, and other initiatives intended to enhance
 24 the recruitment and retention of direct care workers in
 25 health care and long-term care settings.

26 (2) Of the funds appropriated in this subsection,
 27 ~~-\$29,000~~ \$58,000 shall be used to provide scholarships
 28 or other forms of subsidization for direct care
 29 worker educational conferences, training, or outreach
 30 activities.

31 j. Of the funds appropriated in this subsection,
 32 the department may use up to ~~-\$29,259~~ \$58,518 for up to
 33 one full-time equivalent position to administer the
 34 volunteer health care provider program pursuant to
 35 section 135.24.

36 k. Of the funds appropriated in this subsection,
 37 ~~-\$25,000~~ \$50,000 shall be used for a matching dental
 38 education loan repayment program to be allocated to a
 39 dental nonprofit health service corporation to develop
 40 the criteria and implement the loan repayment program.

41 l. Of the funds appropriated in this subsection,
 42 \$250,000 shall be used as state matching funds for
 43 the primary care provider recruitment and retention
 44 endeavor established pursuant to section 135.107.
 45 Notwithstanding any provision to the contrary
 46 including whether a community is located in a federally
 47 designated health professional shortage area, the funds
 48 shall be used for loans to medical students who upon
 49 receiving a permanent license in this state will engage
 50 in the full-time practice of medicine and surgery or

1 osteopathic medicine and surgery specializing in family
 2 medicine, pediatrics, psychiatry, internal medicine,
 3 or general surgery in a city within the state with a
 4 population of less than 26,000 that is located more
 5 than 20 miles from a city with a population of 50,000
 6 or more. The department may adopt rules pursuant to
 7 chapter 17A to implement this paragraph "l".

8 m. Of the funds appropriated in this subsection,
 9 \$100,000 shall be used for the purposes of the Iowa
 10 donor registry as specified in section 142C.18.

11 n. Of the funds appropriated in this subsection,
 12 \$100,000 shall be used for continuation of a grant to a
 13 nationally affiliated volunteer eye organization that
 14 has an established program for children and adults
 15 and that is solely dedicated to preserving sight and
 16 preventing blindness through education, nationally
 17 certified vision screening and training, and community
 18 and patient service programs.

19 5. HEALTHY AGING

20 To provide public health services that reduce risks
 21 and invest in promoting and protecting good health over
 22 the course of a lifetime with a priority given to older
 23 Iowans and vulnerable populations:

24	\$	3,648,571
25		<u>7,297,142</u>

26 a. Of the funds appropriated in this subsection,
 27 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
 28 health nursing services.

29 b. Of the funds appropriated in this subsection,
 30 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
 31 services.

32 6. ENVIRONMENTAL HAZARDS

33 For reducing the public's exposure to hazards in the
 34 environment, primarily chemical hazards, and for not
 35 more than the following full-time equivalent positions:

36	\$	406,888
37		<u>813,777</u>
38	FTEs	<u>4.00</u>

39 Of the funds appropriated in this subsection,
 40 ~~\$272,188~~ \$544,377 shall be used for childhood lead
 41 poisoning provisions.

42 7. INFECTIOUS DISEASES

43 a. For reducing the incidence and prevalence
 44 of communicable diseases, and for not more than the
 45 following full-time equivalent positions:

46	\$	672,923
47		<u>2,395,847</u>
48	FTEs	<u>4.00</u>

49 b. For the human papillomavirus vaccination public
 50 awareness program in accordance with section 135.11,

1 subsection 31, as enacted by this Act:

2 \$ 50,000

3 The department of public health may seek private
4 sector moneys for the purpose of supporting the public
5 awareness program.

6 c. For provision of vaccinations for human
7 papillomavirus to persons age 19 through 26 with
8 incomes below 300 percent of the federal poverty level,
9 as defined by the most recently revised poverty income
10 guidelines issued by the United States department of
11 health and human services, who are not covered by a
12 third-party payer health policy or contract that pays
13 for such vaccinations:

14 \$ 1,000,000

15 The department shall distribute the amount
16 appropriated in this lettered paragraph to providers
17 on behalf of eligible persons within the target
18 population.

19 8. PUBLIC PROTECTION

20 For protecting the health and safety of the
21 public through establishing standards and enforcing
22 regulations, and for not more than the following
23 full-time equivalent positions:

24 \$ ~~1,388,116~~

25 3,216,567

26 FTEs 125.00

27 a. Of the funds appropriated in this subsection,
28 not more than ~~-\$235,845~~ \$471,690 shall be credited to
29 the emergency medical services fund created in section
30 135.25. Moneys in the emergency medical services fund
31 are appropriated to the department to be used for the
32 purposes of the fund.

33 b. Of the funds appropriated in this subsection,
34 ~~-\$105,309~~ \$210,619 shall be used for sexual violence
35 prevention programming through a statewide organization
36 representing programs serving victims of sexual
37 violence through the department's sexual violence
38 prevention program. The amount allocated in this
39 lettered paragraph shall not be used to supplant
40 funding administered for other sexual violence
41 prevention or victims assistance programs.

42 c. Of the funds appropriated in this subsection,
43 not more than ~~-\$218,291~~ \$539,477 shall be used for the
44 state poison control center.

45 d. Of the funds appropriated in this subsection,
46 \$337,440 shall be used for the purposes of the board
47 of direct care professionals as established pursuant
48 to the division of this 2012 Act enacting new Code
49 chapter 152F. The direct care worker advisory council
50 established pursuant to 2008 Iowa Acts, chapter 1188,

1 section 69, may continue to provide expertise and
 2 leadership relating to the recommendations in the
 3 advisory council's final report submitted to the
 4 governor and the general assembly in March 2012.

5 9. RESOURCE MANAGEMENT

6 For establishing and sustaining the overall
 7 ability of the department to deliver services to the
 8 public, and for not more than the following full-time
 9 equivalent positions:

10	\$	409,777
11		819,554
12	FTEs	7.00

13 The university of Iowa hospitals and clinics under
 14 the control of the state board of regents shall not
 15 receive indirect costs from the funds appropriated in
 16 this section. The university of Iowa hospitals and
 17 clinics billings to the department shall be on at least
 18 a quarterly basis.

19 DIVISION III

20 DEPARTMENT OF VETERANS AFFAIRS

21 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
 22 is amended to read as follows:

23 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
 24 is appropriated from the general fund of the state to
 25 the department of veterans affairs for the fiscal year
 26 beginning July 1, 2012, and ending June 30, 2013, the
 27 following amounts, or so much thereof as is necessary,
 28 to be used for the purposes designated:

29 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

30 For salaries, support, maintenance, and
 31 miscellaneous purposes, including the war orphans
 32 educational assistance fund created in section
 33 35.8, and for not more than the following full-time
 34 equivalent positions:

35	\$	499,416
36		1,010,832
37	FTEs	16.34

38 2. IOWA VETERANS HOME

39 For salaries, support, maintenance, and
 40 miscellaneous purposes:

41	\$	4,476,075
42		8,952,151

43 a. The Iowa veterans home billings involving the
 44 department of human services shall be submitted to the
 45 department on at least a monthly basis.

46 b. If there is a change in the employer of
 47 employees providing services at the Iowa veterans home
 48 under a collective bargaining agreement, such employees
 49 and the agreement shall be continued by the successor
 50 employer as though there had not been a change in

1 employer.
 2 c. Within available resources and in conformance
 3 with associated state and federal program eligibility
 4 requirements, the Iowa veterans home may implement
 5 measures to provide financial assistance to or
 6 on behalf of veterans or their spouses who are
 7 participating in the community reentry program.
 8 d. The Iowa veterans home expenditure report
 9 shall be submitted monthly to the legislative services
 10 agency.

11 3. STATE EDUCATIONAL ASSISTANCE ---- CHILDREN OF
 12 DECEASED VETERANS

13 For provision of educational assistance pursuant to
 14 section 35.9:

15	\$	6,208
16		<u>12,416</u>

17 4. HOME OWNERSHIP ASSISTANCE PROGRAM

18 For transfer to the Iowa finance authority for the
 19 continuation of the home ownership assistance program
 20 for persons who are or were eligible members of the
 21 armed forces of the United States, pursuant to section
 22 16.54:

23	\$	1,600,000
----------	----	-----------

24 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
 25 is amended to read as follows:

26 SEC. 116. LIMITATION OF COUNTY
 27 COMMISSION OF VETERANS AFFAIRS FUND STANDING
 28 APPROPRIATIONS. Notwithstanding the standing
 29 appropriation in the following designated section for
 30 the fiscal year beginning July 1, 2012, and ending June
 31 30, 2013, the amounts appropriated from the general
 32 fund of the state pursuant to that section for the
 33 following designated purposes shall not exceed the
 34 following amount:

35 For the county commissions of veterans affairs fund
 36 under section 35A.16:

37	\$	495,000
38		<u>990,000</u>

39 DIVISION IV
 40 DEPARTMENT OF HUMAN SERVICES

41 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
 42 is amended to read as follows:

43 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 44 BLOCK GRANT. There is appropriated from the fund
 45 created in section 8.41 to the department of human
 46 services for the fiscal year beginning July 1, 2012,
 47 and ending June 30, 2013, from moneys received under
 48 the federal temporary assistance for needy families
 49 (TANF) block grant pursuant to the federal Personal
 50 Responsibility and Work Opportunity Reconciliation

1 Act of 1996, Pub. L. No. 104-193, and successor
 2 legislation, and from moneys received under the
 3 emergency contingency fund for temporary assistance
 4 for needy families state program established pursuant
 5 to the federal American Recovery and Reinvestment
 6 Act of 2009, Pub. L. No. 111-5 { 2101, and successor
 7 legislation, the following amounts, or so much
 8 thereof as is necessary, to be used for the purposes
 9 designated:

10 1. To be credited to the family investment program
 11 account and used for assistance under the family
 12 investment program under chapter 239B:

13 \$ ~~10,750,369~~
 14 19,790,365

15 2. To be credited to the family investment program
 16 account and used for the job opportunities and
 17 basic skills (JOBS) program and implementing family
 18 investment agreements in accordance with chapter 239B:

19 \$ ~~6,205,764~~
 20 12,411,528

21 3. To be used for the family development and
 22 self-sufficiency grant program in accordance with
 23 section 216A.107:

24 \$ ~~1,449,490~~
 25 2,898,980

26 Notwithstanding section 8.33, moneys appropriated in
 27 this subsection that remain unencumbered or unobligated
 28 at the close of the fiscal year shall not revert but
 29 shall remain available for expenditure for the purposes
 30 designated until the close of the succeeding fiscal
 31 year. However, unless such moneys are encumbered or
 32 obligated on or before September 30, 2013, the moneys
 33 shall revert.

34 4. For field operations:

35 \$ ~~15,648,116~~
 36 31,296,232

37 5. For general administration:

38 \$ ~~1,872,000~~
 39 3,744,000

40 6. For state child care assistance:

41 \$ ~~8,191,343~~
 42 16,382,687

43 The funds appropriated in this subsection shall
 44 be transferred to the child care and development
 45 block grant appropriation made pursuant to 2011 Iowa
 46 Acts, chapter 126, section 32, by the Eighty-fourth
 47 General Assembly, 2012 Session, for the federal fiscal
 48 year beginning October 1, 2012, and ending September
 49 30, 2013. Of this amount, ~~-\$100,000~~ \$200,000 shall
 50 be used for provision of educational opportunities

1 to registered child care home providers in order to
 2 improve services and programs offered by this category
 3 of providers and to increase the number of providers.
 4 The department may contract with institutions of higher
 5 education or child care resource and referral centers
 6 to provide the educational opportunities. Allowable
 7 administrative costs under the contracts shall not
 8 exceed 5 percent. The application for a grant shall
 9 not exceed two pages in length.

10 7. For distribution to counties for state case
 11 services for persons with mental health and illness,
 12 an intellectual disability, or a developmental
 13 disabilities community services disability in
 14 accordance with section 331.440:

15 \$ ~~2,447,026~~
 16 4,894,052

17 8. For child and family services:

18 \$ ~~16,042,215~~
 19 32,084,430

20 9. For child abuse prevention grants:

21 \$ ~~62,500~~
 22 125,000

23 10. For pregnancy prevention grants on the
 24 condition that family planning services are funded:

25 \$ ~~965,033~~
 26 1,930,067

27 Pregnancy prevention grants shall be awarded to
 28 programs in existence on or before July 1, 2012, if the
 29 programs have demonstrated positive outcomes. Grants
 30 shall be awarded to pregnancy prevention programs
 31 which are developed after July 1, 2012, if the programs
 32 are based on existing models that have demonstrated
 33 positive outcomes. Grants shall comply with the
 34 requirements provided in 1997 Iowa Acts, chapter
 35 208, section 14, subsections 1 and 2, including the
 36 requirement that grant programs must emphasize sexual
 37 abstinence. Priority in the awarding of grants shall
 38 be given to programs that serve areas of the state
 39 which demonstrate the highest percentage of unplanned
 40 pregnancies of females of childbearing age within the
 41 geographic area to be served by the grant.

42 11. For technology needs and other resources
 43 necessary to meet federal welfare reform reporting,
 44 tracking, and case management requirements:

45 \$ ~~518,593~~
 46 1,037,186

47 12. To be credited to the state child care
 48 assistance appropriation made in this section to be
 49 used for funding of community-based early childhood
 50 programs targeted to children from birth through five

1 years of age developed by early childhood Iowa areas as
 2 provided in section 256I.11:

3 \$ ~~3,175,000~~
 4 6,350,000

5 The department shall transfer TANF block grant
 6 funding appropriated and allocated in this subsection
 7 to the child care and development block grant
 8 appropriation in accordance with federal law as
 9 necessary to comply with the provisions of this
 10 subsection.

11 13. a. Notwithstanding any provision to the
 12 contrary, including but not limited to requirements
 13 in section 8.41 or provisions in 2011 or 2012 Iowa
 14 Acts regarding the receipt and appropriation of
 15 federal block grants, federal funds from the ~~emergency~~
 16 ~~contingency fund for temporary assistance for needy~~
 17 ~~families state program established pursuant to the~~
 18 ~~federal American Recovery and Reinvestment Act of 2009,~~
 19 ~~Pub. L. No. 111-5 { 2101, block grant received by the~~
 20 ~~state during the fiscal year beginning July 1, 2011,~~
 21 ~~and ending June 30, 2012, not otherwise appropriated~~
 22 ~~in this section and remaining available as of for~~
 23 ~~the fiscal year beginning July 1, 2012, and received~~
 24 ~~by the state during the fiscal year beginning July~~
 25 ~~1, 2012, and ending June 30, 2013, are appropriated~~
 26 to the department of human services to the extent as
 27 may be necessary to be used in the following priority
 28 order: the family investment program for the fiscal
 29 year and for state child care assistance program
 30 payments for individuals enrolled in the family
 31 investment program who are employed. The federal funds
 32 appropriated in this paragraph "a" shall be expended
 33 only after all other funds appropriated in subsection 1
 34 for the assistance under the family investment program
 35 under chapter 239B have been expended.

36 b. The department shall, on a quarterly basis,
 37 advise the legislative services agency and department
 38 of management of the amount of funds appropriated in
 39 this subsection that was expended in the prior quarter.

40 14. Of the amounts appropriated in this section,
 41 ~~-\$6,481,004~~ \$12,962,008 for the fiscal year beginning
 42 July 1, 2012, shall be transferred to the appropriation
 43 of the federal social services block grant made for
 44 that fiscal year.

45 15. For continuation of the program allowing the
 46 department to maintain categorical eligibility for the
 47 food assistance program as required under the section
 48 of this division relating to the family investment
 49 account:

50 \$ ~~73,036~~

25,000

1
2 16. The department may transfer funds allocated
3 in this section to the appropriations made in this
4 division of this Act for general administration and
5 field operations for resources necessary to implement
6 and operate the services referred to in this section
7 and those funded in the appropriation made in this
8 division of this Act for the family investment program
9 from the general fund of the state.

10 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
11 is amended to read as follows:

12 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 1. Moneys credited to the family investment program
14 (FIP) account for the fiscal year beginning July
15 1, 2012, and ending June 30, 2013, shall be used to
16 provide assistance in accordance with chapter 239B.

17 2. The department may use a portion of the moneys
18 credited to the FIP account under this section as
19 necessary for salaries, support, maintenance, and
20 miscellaneous purposes.

21 3. The department may transfer funds allocated in
22 this section to the appropriations in this division
23 of this Act for general administration and field
24 operations for resources necessary to implement and
25 operate the services referred to in this section and
26 those funded in the appropriation made in this division
27 of this Act for the family investment program from the
28 general fund of the state.

29 4. Moneys appropriated in this division of this Act
30 and credited to the FIP account for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, are
32 allocated as follows:

33 a. To be retained by the department of human
34 services to be used for coordinating with the
35 department of human rights to more effectively serve
36 participants in the FIP program and other shared
37 clients and to meet federal reporting requirements
38 under the federal temporary assistance for needy
39 families block grant:

40 \$ 10,000
41 20,000

42 b. To the department of human rights for staffing,
43 administration, and implementation of the family
44 development and self-sufficiency grant program in
45 accordance with section 216A.107:

46 \$ 2,671,417
47 5,942,834

48 (1) Of the funds allocated for the family
49 development and self-sufficiency grant program in this
50 lettered paragraph, not more than 5 percent of the

1 funds shall be used for the administration of the grant
2 program.

3 (2) The department of human rights may continue to
4 implement the family development and self-sufficiency
5 grant program statewide during fiscal year 2012-2013.

6 c. For the diversion subaccount of the FIP account:

7 \$ ~~849,200~~
8 1,698,400

9 A portion of the moneys allocated for the subaccount
10 may be used for field operations salaries, data
11 management system development, and implementation
12 costs and support deemed necessary by the director of
13 human services in order to administer the FIP diversion
14 program.

15 d. For the food stamp employment and training
16 program:

17 \$ ~~33,294~~
18 66,588

19 (1) The department shall amend the food stamp
20 employment and training state plan in order to maximize
21 to the fullest extent permitted by federal law the
22 use of the 50-50 match provisions for the claiming
23 of allowable federal matching funds from the United
24 States department of agriculture pursuant to the
25 federal food stamp employment and training program for
26 providing education, employment, and training services
27 for eligible food assistance program participants,
28 including but not limited to related dependent care and
29 transportation expenses.

30 (2) The department shall continue the categorical
31 federal food assistance program eligibility at 160
32 percent of the federal poverty level and continue to
33 eliminate the asset test from eligibility requirements,
34 consistent with federal food assistance program
35 requirements. The department shall include as many
36 food assistance households as is allowed by federal
37 law. The eligibility provisions shall conform to all
38 federal requirements including requirements addressing
39 individuals who are incarcerated or otherwise
40 ineligible.

41 e. For the JOBS program:

42 \$ ~~10,117,952~~
43 20,235,905

44 5. Of the child support collections assigned under
45 FIP, an amount equal to the federal share of support
46 collections shall be credited to the child support
47 recovery appropriation made in this division of this
48 Act. Of the remainder of the assigned child support
49 collections received by the child support recovery
50 unit, a portion shall be credited to the FIP account,

1 a portion may be used to increase recoveries, and a
 2 portion may be used to sustain cash flow in the child
 3 support payments account. If as a consequence of the
 4 appropriations and allocations made in this section
 5 the resulting amounts are insufficient to sustain
 6 cash assistance payments and meet federal maintenance
 7 of effort requirements, the department shall seek
 8 supplemental funding. If child support collections
 9 assigned under FIP are greater than estimated or are
 10 otherwise determined not to be required for maintenance
 11 of effort, the state share of either amount may be
 12 transferred to or retained in the child support payment
 13 account.

14 6. The department may adopt emergency rules for
 15 the family investment, JOBS, food stamp, and medical
 16 assistance programs if necessary to comply with federal
 17 requirements.

18 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,
 19 is amended to read as follows:

20 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL
 21 FUND. There is appropriated from the general fund of
 22 the state to the department of human services for the
 23 fiscal year beginning July 1, 2012, and ending June 30,
 24 2013, the following amount, or so much thereof as is
 25 necessary, to be used for the purpose designated:

26 To be credited to the family investment program
 27 (FIP) account and used for family investment program
 28 assistance under chapter 239B:

29	\$ 25,085,513
30	<u>50,742,028</u>

31 1. Of the funds appropriated in this section,
 32 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
 33 program.

34 2. Of the funds appropriated in this section,
 35 ~~\$1,231,927~~ \$3,063,854 is allocated for the family
 36 development and self-sufficiency grant program.

37 3. Notwithstanding section 8.39, for the fiscal
 38 year beginning July 1, 2012, if necessary to meet
 39 federal maintenance of effort requirements or to
 40 transfer federal temporary assistance for needy
 41 families block grant funding to be used for purposes
 42 of the federal social services block grant or to meet
 43 cash flow needs resulting from delays in receiving
 44 federal funding or to implement, in accordance with
 45 this division of this Act, activities currently funded
 46 with juvenile court services, county, or community
 47 moneys and state moneys used in combination with such
 48 moneys, the department of human services may transfer
 49 funds within or between any of the appropriations made
 50 in this division of this Act and appropriations in law

1 for the federal social services block grant to the
 2 department for the following purposes, provided that
 3 the combined amount of state and federal temporary
 4 assistance for needy families block grant funding for
 5 each appropriation remains the same before and after
 6 the transfer:

- 7 a. For the family investment program.
- 8 b. For child care assistance.
- 9 c. For child and family services.
- 10 d. For field operations.
- 11 e. For general administration.
- 12 f. ~~MH/MR/DD/BI community services (local purchase).~~
 13 For distribution to counties for state case services
 14 for persons with mental illness, an intellectual
 15 disability, or a developmental disability in accordance
 16 with section 331.440.

17 This subsection shall not be construed to prohibit
 18 the use of existing state transfer authority for other
 19 purposes. The department shall report any transfers
 20 made pursuant to this subsection to the legislative
 21 services agency.

22 4. Of the funds appropriated in this section,
 23 ~~-\$97,839~~ \$195,678 shall be used for continuation of a
 24 grant to an Iowa-based nonprofit organization with a
 25 history of providing tax preparation assistance to
 26 low-income Iowans in order to expand the usage of the
 27 earned income tax credit. The purpose of the grant is
 28 to supply this assistance to underserved areas of the
 29 state.

30 4A. Of the funds appropriated in this section,
 31 \$500,000 shall be used for distribution to a nonprofit,
 32 tax-exempt association that receives donations under
 33 section 170 of the Internal Revenue Code and whose
 34 members include Iowa food banks and their affiliates
 35 that together serve all counties in the state, to be
 36 used to purchase food for distribution to food-insecure
 37 Iowans:

38 \$ 500,000

39 In purchasing food under this subsection, a
 40 preference shall be given to the purchase of food
 41 produced, processed, or packaged within this state
 42 whenever reasonably practicable.

43 5. The department may transfer funds appropriated
 44 in this section to the appropriations made in this
 45 division of this Act for general administration and
 46 field operations as necessary to administer this
 47 section and the overall family investment program.

48 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
 49 is amended to read as follows:

50 SEC. 120. CHILD SUPPORT RECOVERY. There is

1 appropriated from the general fund of the state to
 2 the department of human services for the fiscal year
 3 beginning July 1, 2012, and ending June 30, 2013, the
 4 following amount, or so much thereof as is necessary,
 5 to be used for the purposes designated:

6 For child support recovery, including salaries,
 7 support, maintenance, and miscellaneous purposes, and
 8 for not more than the following full-time equivalent
 9 positions:

10	\$	6,559,627
11		13,377,993
12	FTEs	475.00

13 1. The department shall expend up to ~~-\$12,164~~
 14 \$24,329, including federal financial participation, for
 15 the fiscal year beginning July 1, 2012, for a child
 16 support public awareness campaign. The department and
 17 the office of the attorney general shall cooperate in
 18 continuation of the campaign. The public awareness
 19 campaign shall emphasize, through a variety of media
 20 activities, the importance of maximum involvement of
 21 both parents in the lives of their children as well as
 22 the importance of payment of child support obligations.

23 2. Federal access and visitation grant moneys shall
 24 be issued directly to private not-for-profit agencies
 25 that provide services designed to increase compliance
 26 with the child access provisions of court orders,
 27 including but not limited to neutral visitation sites
 28 and mediation services.

29 3. The appropriation made to the department for
 30 child support recovery may be used throughout the
 31 fiscal year in the manner necessary for purposes of
 32 cash flow management, and for cash flow management
 33 purposes the department may temporarily draw more
 34 than the amount appropriated, provided the amount
 35 appropriated is not exceeded at the close of the fiscal
 36 year.

37 4. With the exception of the funding amount
 38 specified, the requirements established under 2001
 39 Iowa Acts, chapter 191, section 3, subsection 5,
 40 paragraph "c", subparagraph (3), shall be applicable
 41 to parental obligation pilot projects for the fiscal
 42 year beginning July 1, 2012, and ending June 30,
 43 2013. Notwithstanding [441 IAC 100.8](#), providing for
 44 termination of rules relating to the pilot projects,
 45 the rules shall remain in effect until June 30, 2013.

46 MEDICAL ASSISTANCE PROGRAM

47 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
 48 unnumbered paragraph 2, is amended to read as follows:

49 For medical assistance program reimbursement and
 50 associated costs as specifically provided in the

1 reimbursement methodologies in effect on June 30,
 2 2012, except as otherwise expressly authorized by
 3 law, and consistent with options under federal law and
 4 regulations:

5 \$914,993,421
 6 845,601,256

7 MEDICAL ASSISTANCE ---- DISPROPORTIONATE SHARE HOSPITAL

8 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
 9 subsection 11, paragraph a, unnumbered paragraph 1, is
 10 amended to read as follows:

11 Of the funds appropriated in this section,
 12 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
 13 match for a disproportionate share hospital payment
 14 of \$19,133,430 to hospitals that meet both of the
 15 conditions specified in subparagraphs (1) and (2).
 16 In addition, the hospitals that meet the conditions
 17 specified shall either certify public expenditures
 18 or transfer to the medical assistance program an
 19 amount equal to provide the nonfederal share for a
 20 disproportionate share hospital payment of \$7,500,000.
 21 The hospitals that meet the conditions specified
 22 shall receive and retain 100 percent of the total
 23 disproportionate share hospital payment of \$26,633,430.

24 MEDICAL ASSISTANCE ---- IOWACARE TRANSFER

25 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
 26 subsection 13, is amended to read as follows:

27 13. Of the funds appropriated in this section,
 28 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the
 29 IowaCare account created in section 249J.24.

30 MEDICAL ASSISTANCE ---- COST CONTAINMENT STRATEGIES

31 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
 32 subsection 20, paragraphs a and d, are amended to read
 33 as follows:

34 a. The department may continue to implement cost
 35 containment strategies recommended by the governor, ~~and~~
 36 for the fiscal year beginning July 1, 2011, and shall
 37 implement new strategies for the fiscal year beginning
 38 July 1, 2012, as specified in this division of this
 39 2012 Act. The department may adopt emergency rules for
 40 such implementation.

41 d. If the savings to the medical assistance program
 42 for the fiscal year beginning July 1, 2012, exceed
 43 the cost, the department may transfer any savings
 44 generated for the fiscal year due to medical assistance
 45 program cost containment efforts initiated pursuant
 46 to 2010 Iowa Acts, chapter 1031, Executive Order No.
 47 20, issued December 16, 2009, or cost containment
 48 strategies initiated pursuant to this subsection, to
 49 the appropriation made in this division of this Act
 50 for medical contracts or general administration to

1 defray the increased contract costs associated with
2 implementing such efforts.

3 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
4 is amended by adding the following new subsections:

5 NEW SUBSECTION. 23. The department shall implement
6 a hospital inpatient reimbursement policy to provide
7 for the combining of an original claim for an inpatient
8 stay with a claim for a subsequent inpatient stay when
9 the patient is admitted within seven days of discharge
10 from the original hospital stay for the same condition.

11 NEW SUBSECTION. 24. The department shall
12 transition payment for and administration of services
13 provided by psychiatric medical institutions for
14 children to the Iowa plan.

15 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH
16 DISABILITIES

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 25. The department of human
20 services shall adopt rules for the Medicaid for
21 employed people with disabilities program to provide
22 that until such time as the department adopts
23 rules, annually, to implement the most recently
24 revised poverty guidelines published by the United
25 States department of health and human services, the
26 calculation of gross income eligibility and premium
27 amounts shall not include any increase in unearned
28 income attributable to a social security cost-of-living
29 adjustment for an individual or member of the
30 individual's family whose unearned income is included
31 in such calculation.

32 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 27. The funds received through
36 participation in the medical assistance state balancing
37 incentive payments program created pursuant to section
38 10202 of the federal Patient Protection and Affordable
39 Care Act of 2010, Pub. L. No. 111-148 (2010), as
40 amended by the federal Health Care and Education
41 Reconciliation Act of 2010, Pub. L. No. 111-152,
42 shall be used by the department of human services to
43 comply with the requirements of the program including
44 developing a no wrong door single entry point system;
45 providing a conflict-free case management system;
46 providing core standardized assessment instruments;
47 complying with data collection requirements relating to
48 services, quality, and outcomes; meeting the applicable
49 target spending percentage required under the program
50 to rebalance long-term care spending under the medical

1 assistance program between home and community-based
2 services and institution-based services; and for new or
3 expanded medical assistance program non-institutionally
4 based long-term care services and supports.

5 Sec. 16. 2011 Iowa Acts, chapter 129, section 123,
6 is amended to read as follows:

7 SEC. 123. MEDICAL CONTRACTS. There is appropriated
8 from the general fund of the state to the department of
9 human services for the fiscal year beginning July 1,
10 2012, and ending June 30, 2013, the following amount,
11 or so much thereof as is necessary, to be used for the
12 purpose designated:

13 For medical contracts:

14	\$	5,453,728
15		<u>8,460,680</u>

16 1. The department of inspections and appeals
17 shall provide all state matching funds for survey and
18 certification activities performed by the department
19 of inspections and appeals. The department of human
20 services is solely responsible for distributing the
21 federal matching funds for such activities.

22 2. Of the funds appropriated in this section,
23 ~~-\$25,000~~ \$50,000 shall be used for continuation of home
24 and community-based services waiver quality assurance
25 programs, including the review and streamlining of
26 processes and policies related to oversight and quality
27 management to meet state and federal requirements.

28 3. Of the amount appropriated in this section, up
29 to \$200,000 may be transferred to the appropriation for
30 general administration in this division of this Act to
31 be used for additional full-time equivalent positions
32 in the development of key health initiatives such as
33 cost containment, development and oversight of managed
34 care programs, and development of health strategies
35 targeted toward improved quality and reduced costs in
36 the Medicaid program.

37 Sec. 17. 2011 Iowa Acts, chapter 129, section 124,
38 is amended to read as follows:

39 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

40 1. There is appropriated from the general fund of
41 the state to the department of human services for the
42 fiscal year beginning July 1, 2012, and ending June 30,
43 2013, the following amount, or so much thereof as is
44 necessary, to be used for the purpose designated:

45 For the state supplementary assistance program:

46	\$	8,425,373
47		<u>15,450,747</u>

48 2. The department shall increase the personal needs
49 allowance for residents of residential care facilities
50 by the same percentage and at the same time as federal

1 supplemental security income and federal social
2 security benefits are increased due to a recognized
3 increase in the cost of living. The department may
4 adopt emergency rules to implement this subsection.
5 3. If during the fiscal year beginning July 1,
6 2012, the department projects that state supplementary
7 assistance expenditures for a calendar year will not
8 meet the federal pass-through requirement specified
9 in Tit. XVI of the federal Social Security Act,
10 section 1618, as codified in 42 U.S.C. { 1382g,
11 the department may take actions including but not
12 limited to increasing the personal needs allowance
13 for residential care facility residents and making
14 programmatic adjustments or upward adjustments of the
15 residential care facility or in-home health-related
16 care reimbursement rates prescribed in this division of
17 this Act to ensure that federal requirements are met.
18 In addition, the department may make other programmatic
19 and rate adjustments necessary to remain within the
20 amount appropriated in this section while ensuring
21 compliance with federal requirements. The department
22 may adopt emergency rules to implement the provisions
23 of this subsection.

24 Sec. 18. 2011 Iowa Acts, chapter 129, section 125,
25 is amended to read as follows:

26 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

27 1. There is appropriated from the general fund of
28 the state to the department of human services for the
29 fiscal year beginning July 1, 2012, and ending June 30,
30 2013, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:

32 For maintenance of the healthy and well kids in Iowa
33 (hawk-i) program pursuant to chapter 514I, including
34 supplemental dental services, for receipt of federal
35 financial participation under Tit. XXI of the federal
36 Social Security Act, which creates the children's
37 health insurance program:

38 \$ ~~16,403,051~~
39 40,400,160

40 2. Of the funds appropriated in this section,
41 ~~-\$64,475~~ \$141,450 is allocated for continuation of the
42 contract for outreach with the department of public
43 health.

44 Sec. 19. 2011 Iowa Acts, chapter 129, section 126,
45 is amended to read as follows:

46 SEC. 126. CHILD CARE ASSISTANCE. There is
47 appropriated from the general fund of the state to
48 the department of human services for the fiscal year
49 beginning July 1, 2012, and ending June 30, 2013, the
50 following amount, or so much thereof as is necessary,

1 to be used for the purpose designated:

2 For child care programs:

3 \$ ~~26,618,831~~
4 61,087,940

5 1. Of the funds appropriated in this section,
6 ~~-\$25,948,041~~ \$59,718,513 shall be used for state child
7 care assistance in accordance with section 237A.13.

8 2. Nothing in this section shall be construed or
9 is intended as or shall imply a grant of entitlement
10 for services to persons who are eligible for assistance
11 due to an income level consistent with the waiting
12 list requirements of section 237A.13. Any state
13 obligation to provide services pursuant to this section
14 is limited to the extent of the funds appropriated in
15 this section.

16 3. Of the funds appropriated in this section,
17 ~~-\$216,226~~ \$432,453 is allocated for the statewide
18 program for child care resource and referral services
19 under section 237A.26. A list of the registered and
20 licensed child care facilities operating in the area
21 served by a child care resource and referral service
22 shall be made available to the families receiving state
23 child care assistance in that area.

24 4. Of the funds appropriated in this section,
25 ~~-\$468,487~~ \$936,974 is allocated for child care quality
26 improvement initiatives including but not limited to
27 the voluntary quality rating system in accordance with
28 section 237A.30.

29 5. The department may use any of the funds
30 appropriated in this section as a match to obtain
31 federal funds for use in expanding child care
32 assistance and related programs. For the purpose of
33 expenditures of state and federal child care funding,
34 funds shall be considered obligated at the time
35 expenditures are projected or are allocated to the
36 department's service areas. Projections shall be based
37 on current and projected caseload growth, current and
38 projected provider rates, staffing requirements for
39 eligibility determination and management of program
40 requirements including data systems management,
41 staffing requirements for administration of the
42 program, contractual and grant obligations and any
43 transfers to other state agencies, and obligations for
44 decategorization or innovation projects.

45 6. A portion of the state match for the federal
46 child care and development block grant shall be
47 provided as necessary to meet federal matching
48 funds requirements through the state general fund
49 appropriation made for child development grants and
50 other programs for at-risk children in section 279.51.

1 7. If a uniform reduction ordered by the governor
 2 under section 8.31 or other operation of law,
 3 transfer, or federal funding reduction reduces the
 4 appropriation made in this section for the fiscal year,
 5 the percentage reduction in the amount paid out to or
 6 on behalf of the families participating in the state
 7 child care assistance program shall be equal to or
 8 less than the percentage reduction made for any other
 9 purpose payable from the appropriation made in this
 10 section and the federal funding relating to it. The
 11 percentage reduction to the other allocations made in
 12 this section shall be the same as the uniform reduction
 13 ordered by the governor or the percentage change of the
 14 federal funding reduction, as applicable. If there is
 15 an unanticipated increase in federal funding provided
 16 for state child care assistance, the entire amount
 17 of the increase shall be used for state child care
 18 assistance payments. If the appropriations made for
 19 purposes of the state child care assistance program for
 20 the fiscal year are determined to be insufficient, it
 21 is the intent of the general assembly to appropriate
 22 sufficient funding for the fiscal year in order to
 23 avoid establishment of waiting list requirements.

24 8. Notwithstanding section 8.33, moneys
 25 ~~appropriated in this section or~~ advanced for purposes
 26 of the programs developed by early childhood Iowa
 27 areas, advanced for purposes of wraparound child care,
 28 or received from the federal appropriations made for
 29 the purposes of this section that remain unencumbered
 30 or unobligated at the close of the fiscal year shall
 31 not revert to any fund but shall remain available for
 32 expenditure for the purposes designated until the close
 33 of the succeeding fiscal year.

34 Sec. 20. 2011 Iowa Acts, chapter 129, section 127,
 35 is amended to read as follows:

36 SEC. 127. JUVENILE INSTITUTIONS. There is
 37 appropriated from the general fund of the state to
 38 the department of human services for the fiscal year
 39 beginning July 1, 2012, and ending June 30, 2013, the
 40 following amounts, or so much thereof as is necessary,
 41 to be used for the purposes designated:

42 1. For operation of the Iowa juvenile home at
 43 Toledo and for salaries, support, maintenance, and
 44 miscellaneous purposes, and for not more than the
 45 following full-time equivalent positions:

46	\$	4,129,125
47		8,328,264
48	FTEs	114.00

49 2. For operation of the state training school at
 50 Eldora and for salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the
 2 following full-time equivalent positions:

3	\$	5,319,338
4		<u>10,740,988</u>
5	FTEs	164.30

6 Of the funds appropriated in this subsection,
 7 ~~\$45,575~~ \$91,150 shall be used for distribution
 8 to licensed classroom teachers at this and other
 9 institutions under the control of the department of
 10 human services based upon the average student yearly
 11 enrollment at each institution as determined by the
 12 department.

13 3. A portion of the moneys appropriated in this
 14 section shall be used by the state training school and
 15 by the Iowa juvenile home for grants for adolescent
 16 pregnancy prevention activities at the institutions in
 17 the fiscal year beginning July 1, 2012.

18 Sec. 21. 2011 Iowa Acts, chapter 129, section 128,
 19 is amended to read as follows:

20 SEC. 128. CHILD AND FAMILY SERVICES.

21 1. There is appropriated from the general fund of
 22 the state to the department of human services for the
 23 fiscal year beginning July 1, 2012, and ending June 30,
 24 2013, the following amount, or so much thereof as is
 25 necessary, to be used for the purpose designated:

26 For child and family services:

27	\$	41,415,081
28		<u>83,669,130</u>

29 2. In order to address a reduction of \$5,200,000
 30 from the amount allocated under the appropriation made
 31 for the purposes of this section in prior years for
 32 purposes of juvenile delinquent graduated sanction
 33 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
 34 federal temporary assistance for needy families block
 35 grant funding appropriated in this division of this Act
 36 for child and family services shall be made available
 37 for purposes of juvenile delinquent graduated sanction
 38 services.

39 3. The department may transfer funds appropriated
 40 in this section as necessary to pay the nonfederal
 41 costs of services reimbursed under the medical
 42 assistance program, state child care assistance
 43 program, or the family investment program which are
 44 provided to children who would otherwise receive
 45 services paid under the appropriation in this section.
 46 The department may transfer funds appropriated in this
 47 section to the appropriations made in this division
 48 of this Act for general administration and for field
 49 operations for resources necessary to implement and
 50 operate the services funded in this section. The

1 department may transfer funds appropriated in this
2 section to the appropriation made in this division of
3 this Act for adoption subsidy to support the adjustment
4 in reimbursement rates for specified child welfare
5 providers as provided in this 2012 Act.

6 4. a. Of the funds appropriated in this section,
7 up to ~~-\$15,084,564~~ \$31,438,622 is allocated as the
8 statewide expenditure target under section 232.143
9 for group foster care maintenance and services. If
10 the department projects that such expenditures for
11 the fiscal year will be less than the target amount
12 allocated in this lettered paragraph, the department
13 may reallocate the excess to provide additional
14 funding for shelter care or the child welfare emergency
15 services addressed with the allocation for shelter
16 care.

17 b. If at any time after September 30, 2012,
18 annualization of a service area's current expenditures
19 indicates a service area is at risk of exceeding its
20 group foster care expenditure target under section
21 232.143 by more than 5 percent, the department and
22 juvenile court services shall examine all group
23 foster care placements in that service area in order
24 to identify those which might be appropriate for
25 termination. In addition, any aftercare services
26 believed to be needed for the children whose
27 placements may be terminated shall be identified. The
28 department and juvenile court services shall initiate
29 action to set dispositional review hearings for the
30 placements identified. In such a dispositional review
31 hearing, the juvenile court shall determine whether
32 needed aftercare services are available and whether
33 termination of the placement is in the best interest of
34 the child and the community.

35 5. In accordance with the provisions of section
36 232.188, the department shall continue the child
37 welfare and juvenile justice funding initiative during
38 fiscal year 2012-2013. Of the funds appropriated
39 in this section, ~~-\$858,876~~ \$1,717,753 is allocated
40 specifically for expenditure for fiscal year 2012-2013
41 through the decategorization service funding pools
42 and governance boards established pursuant to section
43 232.188.

44 6. A portion of the funds appropriated in this
45 section may be used for emergency family assistance
46 to provide other resources required for a family
47 participating in a family preservation or reunification
48 project or successor project to stay together or to be
49 reunified.

50 7. Notwithstanding section 234.35 or any other

1 provision of law to the contrary, state funding for
2 shelter care and the child welfare emergency services
3 contracting implemented to provide for or prevent the
4 need for shelter care shall be limited to ~~-\$3,585,058~~
5 \$7,385,639. The department may continue or execute
6 contracts that result from the department's request for
7 proposal, bid number ACFS-11-114, to provide the range
8 of child welfare emergency services described in the
9 request for proposals, and any subsequent amendments to
10 the request for proposals.

11 8. Federal funds received by the state during
12 the fiscal year beginning July 1, 2012, as the
13 result of the expenditure of state funds appropriated
14 during a previous state fiscal year for a service or
15 activity funded under this section are appropriated
16 to the department to be used as additional funding
17 for services and purposes provided for under this
18 section. Notwithstanding section 8.33, moneys
19 received in accordance with this subsection that remain
20 unencumbered or unobligated at the close of the fiscal
21 year shall not revert to any fund but shall remain
22 available for the purposes designated until the close
23 of the succeeding fiscal year.

24 ~~9. Of the funds appropriated in this section, at~~
25 ~~least \$1,848,142 shall be used for protective child~~
26 ~~care assistance.~~

27 10. a. Of the funds appropriated in this section,
28 up to ~~-\$1,031,244~~ \$2,062,488 is allocated for the
29 payment of the expenses of court-ordered services
30 provided to juveniles who are under the supervision of
31 juvenile court services, which expenses are a charge
32 upon the state pursuant to section 232.141, subsection
33 4. Of the amount allocated in this lettered paragraph,
34 up to ~~-\$778,143~~ \$1,556,287 shall be made available
35 to provide school-based supervision of children
36 adjudicated under chapter 232, of which not more than
37 ~~-\$7,500~~ \$15,000 may be used for the purpose of training.
38 A portion of the cost of each school-based liaison
39 officer shall be paid by the school district or other
40 funding source as approved by the chief juvenile court
41 officer.

42 b. Of the funds appropriated in this section, up to
43 ~~-\$374,492~~ \$748,985 is allocated for the payment of the
44 expenses of court-ordered services provided to children
45 who are under the supervision of the department,
46 which expenses are a charge upon the state pursuant to
47 section 232.141, subsection 4.

48 c. Notwithstanding section 232.141 or any other
49 provision of law to the contrary, the amounts allocated
50 in this subsection shall be distributed to the

1 judicial districts as determined by the state court
2 administrator and to the department's service areas as
3 determined by the administrator of the department's
4 division of child and family services. The state court
5 administrator and the division administrator shall make
6 the determination of the distribution amounts on or
7 before June 15, 2012.

8 d. Notwithstanding chapter 232 or any other
9 provision of law to the contrary, a district or
10 juvenile court shall not order any service which is
11 a charge upon the state pursuant to section 232.141
12 if there are insufficient court-ordered services
13 funds available in the district court or departmental
14 service area distribution amounts to pay for the
15 service. The chief juvenile court officer and the
16 departmental service area manager shall encourage use
17 of the funds allocated in this subsection such that
18 there are sufficient funds to pay for all court-related
19 services during the entire year. The chief juvenile
20 court officers and departmental service area managers
21 shall attempt to anticipate potential surpluses and
22 shortfalls in the distribution amounts and shall
23 cooperatively request the state court administrator
24 or division administrator to transfer funds between
25 the judicial districts' or departmental service areas'
26 distribution amounts as prudent.

27 e. Notwithstanding any provision of law to the
28 contrary, a district or juvenile court shall not order
29 a county to pay for any service provided to a juvenile
30 pursuant to an order entered under chapter 232 which
31 is a charge upon the state under section 232.141,
32 subsection 4.

33 f. Of the funds allocated in this subsection, not
34 more than ~~-\$41,500~~ \$83,000 may be used by the judicial
35 branch for administration of the requirements under
36 this subsection.

37 g. Of the funds allocated in this subsection,
38 ~~-\$8,500~~ \$17,000 shall be used by the department of human
39 services to support the interstate commission for
40 juveniles in accordance with the interstate compact for
41 juveniles as provided in section 232.173.

42 11. Of the funds appropriated in this section,
43 ~~-\$2,961,301~~ \$6,222,602 is allocated for juvenile
44 delinquent graduated sanctions services. Any state
45 funds saved as a result of efforts by juvenile court
46 services to earn federal Tit. IV-E match for juvenile
47 court services administration may be used for the
48 juvenile delinquent graduated sanctions services.

49 12. Of the funds appropriated in this section,
50 ~~-\$494,142~~ \$2,238,285 shall be transferred to the

1 department of public health to be used for the child
 2 protection center grant program in accordance with
 3 section 135.118. Of the amount allocated in this
 4 subsection, \$250,000 shall be used for a center for the
 5 Black Hawk county area.

6 13. If the department receives federal approval
 7 to implement a waiver under Tit. IV-E of the federal
 8 Social Security Act to enable providers to serve
 9 children who remain in the children's families and
 10 communities, for purposes of eligibility under the
 11 medical assistance program, children who participate in
 12 the waiver shall be considered to be placed in foster
 13 care.

14 14. Of the funds appropriated in this section,
 15 ~~-\$1,534,916~~ \$3,092,375 is allocated for the preparation
 16 for adult living program pursuant to section 234.46.

17 15. Of the funds appropriated in this section,
 18 ~~-\$260,075~~ \$520,150 shall be used for juvenile drug
 19 courts. The amount allocated in this subsection shall
 20 be distributed as follows:

21 To the judicial branch for salaries to assist with
 22 the operation of juvenile drug court programs operated
 23 in the following jurisdictions:

24 a. Marshall county:

25	\$	<u>31,354</u>
26		<u>62,708</u>

27 b. Woodbury county:

28	\$	<u>62,841</u>
29		<u>125,682</u>

30 c. Polk county:

31	\$	<u>97,946</u>
32		<u>195,892</u>

33 d. The third judicial district:

34	\$	<u>33,967</u>
35		<u>67,934</u>

36 e. The eighth judicial district:

37	\$	<u>33,967</u>
38		<u>67,934</u>

39 16. Of the funds appropriated in this section,
 40 ~~-\$113,668~~ \$227,337 shall be used for the public purpose
 41 of ~~providing~~ continuing a grant to a nonprofit human
 42 services organization providing services to individuals
 43 and families in multiple locations in southwest
 44 Iowa and Nebraska for support of a project providing
 45 immediate, sensitive support and forensic interviews,
 46 medical exams, needs assessments, and referrals for
 47 victims of child abuse and their nonoffending family
 48 members.

49 17. Of the funds appropriated in this section,
 50 ~~-\$62,795~~ \$200,590 is allocated for the elevate foster

1 care youth council approach of providing a support
2 network to children placed in foster care.

3 18. Of the funds appropriated in this section,
4 ~~-\$101,000~~ \$202,000 is allocated for use pursuant to
5 section 235A.1 for continuation of the initiative to
6 address child sexual abuse implemented pursuant to 2007
7 Iowa Acts, chapter 218, section 18, subsection 21.

8 19. Of the funds appropriated in this section,
9 ~~-\$315,120~~ \$630,240 is allocated for the community
10 partnership for child protection sites.

11 20. Of the funds appropriated in this section,
12 ~~-\$185,625~~ \$371,250 is allocated for the department's
13 minority youth and family projects under the redesign
14 of the child welfare system.

15 21. Of the funds appropriated in this section,
16 ~~-\$600,247~~ \$1,436,595 is allocated for funding of the
17 state match for community circle of care collaboration
18 for children and youth in northeast Iowa, formerly
19 referred to as the federal substance abuse and mental
20 health services administration (SAMHSA) system of care
21 grant.

22 22. Of the funds appropriated in this section, at
23 least ~~-\$73,579~~ \$147,158 shall be used for the child
24 welfare training academy.

25 23. Of the funds appropriated in this section,
26 ~~-\$12,500~~ \$25,000 shall be used for the public purpose
27 of continuation of a grant to a child welfare services
28 provider headquartered in a county with a population
29 between 205,000 and 215,000 in the latest certified
30 federal census that provides multiple services
31 including but not limited to a psychiatric medical
32 institution for children, shelter, residential
33 treatment, after school programs, school-based
34 programming, and an Asperger's syndrome program, to
35 be used for support services for children with autism
36 spectrum disorder and their families.

37 23A. Of the funds appropriated in this section,
38 \$25,000 shall be used for the public purpose of
39 providing a grant to a hospital-based provider
40 headquartered in a county with a population between
41 90,000 and 95,000 in the latest certified federal
42 census that provides multiple services including but
43 not limited to diagnostic, therapeutic, and behavioral
44 services to individuals with autism spectrum disorder
45 across the lifespan. The grant recipient shall utilize
46 the funds to implement a pilot project to determine the
47 necessary support services for children with autism
48 spectrum disorder and their families to be included in
49 the children's disabilities services system. The grant
50 recipient shall submit findings and recommendations

1 based upon the results of the pilot project to the
 2 individuals specified in this division of this Act for
 3 submission of reports by December 31, 2012.

4 24. Of the funds appropriated in this section
 5 ~~-\$125,000~~ \$327,947 shall be used for continuation of the
 6 central Iowa system of care program grant through June
 7 30, 2013.

8 25. Of the funds appropriated in this section,
 9 ~~-\$80,000~~ \$160,000 shall be used for the public
 10 purpose of the continuation of a system of care
 11 grant implemented in Cerro Gordo and Linn counties in
 12 accordance with this Act in FY 2011-2012.

13 Sec. 22. 2011 Iowa Acts, chapter 129, section 129,
 14 is amended to read as follows:

15 SEC. 129. ADOPTION SUBSIDY.

16 1. There is appropriated from the general fund of
 17 the state to the department of human services for the
 18 fiscal year beginning July 1, 2012, and ending June 30,
 19 2013, the following amount, or so much thereof as is
 20 necessary, to be used for the purpose designated:

21 For adoption subsidy payments and services:

22 \$ ~~16,633,295~~
 23 33,238,897

24 2. The department may transfer funds appropriated
 25 in this section to the appropriation made in this
 26 division of this Act for general administration
 27 for costs paid from the appropriation relating to
 28 adoption subsidy. The department may transfer funds
 29 appropriated in this section to the appropriation
 30 made in this division of this Act for child and family
 31 services to support the adjustment in reimbursement
 32 rates for specified child welfare providers as provided
 33 in this 2012 Act.

34 3. Federal funds received by the state during the
 35 fiscal year beginning July 1, 2012, as the result of
 36 the expenditure of state funds during a previous state
 37 fiscal year for a service or activity funded under
 38 this section are appropriated to the department to
 39 be used as additional funding for the services and
 40 activities funded under this section. Notwithstanding
 41 section 8.33, moneys received in accordance with this
 42 subsection that remain unencumbered or unobligated at
 43 the close of the fiscal year shall not revert to any
 44 fund but shall remain available for expenditure for the
 45 purposes designated until the close of the succeeding
 46 fiscal year.

47 Sec. 23. 2011 Iowa Acts, chapter 129, section 131,
 48 is amended to read as follows:

49 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

50 1. There is appropriated from the general fund of

1 the state to the department of human services for the
 2 fiscal year beginning July 1, 2012, and ending June 30,
 3 2013, the following amount, or so much thereof as is
 4 necessary, to be used for the purpose designated:

5 For the family support subsidy program subject
 6 to the enrollment restrictions in section 225C.37,
 7 subsection 3:

8	\$	583,999
9		<u>1,096,784</u>

10 2. The department shall use at least ~~-\$192,750~~
 11 \$385,500 of the moneys appropriated in this section
 12 for the family support center component of the
 13 comprehensive family support program under section
 14 225C.47. Not more than ~~-\$12,500~~ \$25,000 of the
 15 amount allocated in this subsection shall be used for
 16 administrative costs.

17 3. If at any time during the fiscal year, the
 18 amount of funding available for the family support
 19 subsidy program is reduced from the amount initially
 20 used to establish the figure for the number of family
 21 members for whom a subsidy is to be provided at any one
 22 time during the fiscal year, notwithstanding section
 23 225C.38, subsection 2, the department shall revise the
 24 figure as necessary to conform to the amount of funding
 25 available.

26 Sec. 24. 2011 Iowa Acts, chapter 129, section 132,
 27 is amended to read as follows:

28 SEC. 132. CONNER DECREE. There is appropriated
 29 from the general fund of the state to the department of
 30 human services for the fiscal year beginning July 1,
 31 2012, and ending June 30, 2013, the following amount,
 32 or so much thereof as is necessary, to be used for the
 33 purpose designated:

34 For building community capacity through the
 35 coordination and provision of training opportunities
 36 in accordance with the consent decree of Conner v.
 37 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

38	\$	16,811
39		<u>33,622</u>

40 Sec. 25. 2011 Iowa Acts, chapter 129, section 133,
 41 is amended to read as follows:

42 SEC. 133. MENTAL HEALTH INSTITUTES. There is
 43 appropriated from the general fund of the state to
 44 the department of human services for the fiscal year
 45 beginning July 1, 2012, and ending June 30, 2013, the
 46 following amounts, or so much thereof as is necessary,
 47 to be used for the purposes designated:

48 1. For the state mental health institute at
 49 Cherokee for salaries, support, maintenance, and
 50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:

2	\$	2,938,654
3		5,641,037
4	FTEs	168.50

5 2. For the state mental health institute at
6 Clarinda for salaries, support, maintenance, and
7 miscellaneous purposes, and for not more than the
8 following full-time equivalent positions:

9	\$	3,205,867
10		6,463,337
11	FTEs	86.10

12 3. For the state mental health institute at
13 Independence for salaries, support, maintenance, and
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:

16	\$	5,137,842
17		9,804,212
18	FTEs	233.00

19 4. For the state mental health institute at Mount
20 Pleasant for salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:

23	\$	472,161
24		944,323
25	FTEs	97.72

26 Sec. 26. 2011 Iowa Acts, chapter 129, section 134,
27 is amended to read as follows:

28 SEC. 134. STATE RESOURCE CENTERS.

29 1. There is appropriated from the general fund of
30 the state to the department of human services for the
31 fiscal year beginning July 1, 2012, and ending June 30,
32 2013, the following amounts, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 a. For the state resource center at Glenwood for
35 salaries, support, maintenance, and miscellaneous
36 purposes:

37	\$	9,253,900
38		19,092,576

39 b. For the state resource center at Woodward for
40 salaries, support, maintenance, and miscellaneous
41 purposes:

42	\$	6,392,829
43		13,176,093

44 2. The department may continue to bill for state
45 resource center services utilizing a scope of services
46 approach used for private providers of ICFMR services,
47 in a manner which does not shift costs between the
48 medical assistance program, counties, or other sources
49 of funding for the state resource centers.

50 3. The state resource centers may expand the

1 time-limited assessment and respite services during the
2 fiscal year.

3 4. If the department's administration and the
4 department of management concur with a finding by a
5 state resource center's superintendent that projected
6 revenues can reasonably be expected to pay the salary
7 and support costs for a new employee position, or
8 that such costs for adding a particular number of new
9 positions for the fiscal year would be less than the
10 overtime costs if new positions would not be added, the
11 superintendent may add the new position or positions.
12 If the vacant positions available to a resource center
13 do not include the position classification desired to
14 be filled, the state resource center's superintendent
15 may reclassify any vacant position as necessary to
16 fill the desired position. The superintendents of the
17 state resource centers may, by mutual agreement, pool
18 vacant positions and position classifications during
19 the course of the fiscal year in order to assist one
20 another in filling necessary positions.

21 5. If existing capacity limitations are reached
22 in operating units, a waiting list is in effect
23 for a service or a special need for which a payment
24 source or other funding is available for the service
25 or to address the special need, and facilities for
26 the service or to address the special need can be
27 provided within the available payment source or other
28 funding, the superintendent of a state resource center
29 may authorize opening not more than two units or
30 other facilities and begin implementing the service
31 or addressing the special need during fiscal year
32 2012-2013.

33 Sec. 27. 2011 Iowa Acts, chapter 129, section 135,
34 is amended to read as follows:

35 SEC. 135. MI/MR/DD STATE CASES.

36 1. There is appropriated from the general fund of
37 the state to the department of human services for the
38 fiscal year beginning July 1, 2012, and ending June 30,
39 2013, the following amount, or so much thereof as is
40 necessary, to be used for the purpose designated:

41 For distribution to counties for state case services
42 for persons with mental illness, mental retardation,
43 and developmental disabilities in accordance with
44 section 331.440:

45 \$ ~~6,084,741~~
46 12,169,482

47 2. For the fiscal year beginning July 1, 2012, and
48 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
49 for state case services from the amounts appropriated
50 from the fund created in section 8.41 to the department

1 of human services from the funds received from the
 2 federal government under 42 U.S.C. ch. 6A, subch. XVII,
 3 relating to the community mental health center block
 4 grant, for the federal fiscal years beginning October
 5 1, 2010, and ending September 30, 2011, beginning
 6 October 1, 2011, and ending September 30, 2012, and
 7 beginning October 1, 2012, and ending September 30,
 8 2013. The allocation made in this subsection shall be
 9 made prior to any other distribution allocation of the
 10 appropriated federal funds.

11 3. Notwithstanding section 8.33, moneys
 12 appropriated in this section that remain unencumbered
 13 or unobligated at the close of the fiscal year shall
 14 not revert but shall remain available for expenditure
 15 for the purposes designated until the close of the
 16 succeeding fiscal year.

17 Sec. 28. 2011 Iowa Acts, chapter 129, section 137,
 18 is amended to read as follows:

19 SEC. 137. SEXUALLY VIOLENT PREDATORS.

20 1. There is appropriated from the general fund of
 21 the state to the department of human services for the
 22 fiscal year beginning July 1, 2012, and ending June 30,
 23 2013, the following amount, or so much thereof as is
 24 necessary, to be used for the purpose designated:

25 For costs associated with the commitment and	
26 treatment of sexually violent predators in the unit	
27 located at the state mental health institute at	
28 Cherokee, including costs of legal services and	
29 other associated costs, including salaries, support,	
30 maintenance, and miscellaneous purposes, and for not	
31 more than the following full-time equivalent positions:	
32	\$ 3,775,363
33	<u>9,113,668</u>
34	<u>89.50</u>
35	<u>115.50</u>

36 2. Unless specifically prohibited by law, if the
 37 amount charged provides for recoupment of at least
 38 the entire amount of direct and indirect costs, the
 39 department of human services may contract with other
 40 states to provide care and treatment of persons placed
 41 by the other states at the unit for sexually violent
 42 predators at Cherokee. The moneys received under such
 43 a contract shall be considered to be repayment receipts
 44 and used for the purposes of the appropriation made in
 45 this section.

46 Sec. 29. 2011 Iowa Acts, chapter 129, section 138,
 47 is amended to read as follows:

48 SEC. 138. FIELD OPERATIONS. There is appropriated
 49 from the general fund of the state to the department of
 50 human services for the fiscal year beginning July 1,

1 2012, and ending June 30, 2013, the following amount,
 2 or so much thereof as is necessary, to be used for the
 3 purposes designated:

4 For field operations, including salaries, support,
 5 maintenance, and miscellaneous purposes, and for not
 6 more than the following full-time equivalent positions:

7	\$	27,394,960
8		<u>61,915,440</u>
9	FTEs	<u>1,781.00</u>

10 Priority in filling full-time equivalent positions
 11 shall be given to those positions related to child
 12 protection services and eligibility determination for
 13 low-income families.

14 Notwithstanding section 8.33, moneys appropriated in
 15 this section that remain unencumbered or unobligated
 16 at the close of the fiscal year shall not revert but
 17 shall remain available for expenditure for the purposes
 18 designated until the close of the succeeding fiscal
 19 year.

20 Sec. 30. 2011 Iowa Acts, chapter 129, section 139,
 21 is amended to read as follows:

22 SEC. 139. GENERAL ADMINISTRATION. There is
 23 appropriated from the general fund of the state to
 24 the department of human services for the fiscal year
 25 beginning July 1, 2012, and ending June 30, 2013, the
 26 following amount, or so much thereof as is necessary,
 27 to be used for the purpose designated:

28 For general administration, including salaries,
 29 support, maintenance, and miscellaneous purposes, and
 30 for not more than the following full-time equivalent
 31 positions:

32	\$	7,298,372
33		<u>15,841,874</u>
34	FTEs	285.00 <u>295.00</u>

35 1. Of the funds appropriated in this section,
 36 ~~-\$19,271~~ \$38,543 allocated for the prevention of
 37 disabilities policy council established in section
 38 225B.3.

39 2. The department shall report at least monthly
 40 to the legislative services agency concerning the
 41 department's operational and program expenditures.

42 3. Of the funds appropriated in this section,
 43 ~~-\$66,150~~ \$132,300 shall be used to continue the contract
 44 for the provision of a program to provide technical
 45 assistance, support, and consultation to providers of
 46 habilitation services and home and community-based
 47 services waiver services for adults with disabilities
 48 under the medical assistance program.

49 4. Of the funds appropriated in this section,
 50 ~~-\$88,200~~ \$500,000 shall be used to continue the contract

1 to expand the provision of nationally accredited and
 2 recognized internet-based training to include mental
 3 health and disability services providers.

4 5. Of the funds appropriated in this section,
 5 ~~\$250,000~~ \$500,000 shall be used for continuation of
 6 child protection system improvements addressed in 2011
 7 Iowa Acts, House File 562, as enacted chapter 28.

8 6. Notwithstanding section 8.33, moneys
 9 appropriated in this section that remain unencumbered
 10 or unobligated at the close of the fiscal year shall
 11 not revert but shall remain available for expenditure
 12 for the purposes designated until the close of the
 13 succeeding fiscal year.

14 Sec. 31. 2011 Iowa Acts, chapter 129, section 140,
 15 is amended to read as follows:

16 SEC. 140. VOLUNTEERS. There is appropriated from
 17 the general fund of the state to the department of
 18 human services for the fiscal year beginning July 1,
 19 2012, and ending June 30, 2013, the following amount,
 20 or so much thereof as is necessary, to be used for the
 21 purpose designated:

22 For development and coordination of volunteer
 23 services:

24	\$	42,330
25		<u>84,660</u>

26 PROVIDER REIMBURSEMENT ---- NURSING FACILITIES

27 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,
 28 subsection 1, paragraph a, subparagraph (1), is amended
 29 to read as follows:

30 (1) For the fiscal year beginning July 1, 2012, the
 31 total state funding amount for the nursing facility
 32 budget shall not exceed ~~\$225,457,724~~ \$239,726,901.

33 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
 34 subsection 1, paragraph a, is amended by adding the
 35 following new subparagraph:

36 NEW SUBPARAGRAPH. (1A) For the fiscal year
 37 beginning July 1, 2012, and ending June 30, 2013,
 38 and within the total state funding amount identified
 39 in subparagraph (1), the department shall distribute
 40 not more than \$2,500,000 in reimbursement to nursing
 41 facilities by adjusting the statewide median of the
 42 direct care component of nursing facility costs based
 43 upon the most recent cost report submitted by the
 44 nursing facility for the period ending on or before
 45 December 31, 2011, and inflating these costs forward to
 46 July 1, 2012, by using the midpoint of each cost report
 47 and applying the skilled nursing facility market basket
 48 index. The department shall adjust the reimbursement
 49 calculated under this subparagraph as necessary to
 50 maintain expenditures of the nursing facility budget

1 within the state funding amount specified in this
2 subparagraph and within the total state funding amount
3 identified in subparagraph (1) for the fiscal year.

4 PROVIDER REIMBURSEMENT ---- PHARMACY, PMICS, HOME HEALTH
5 AGENCIES, HCBS WAIVER

6 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
7 subsection 1, paragraphs b, f, i, and q, are amended
8 to read as follows:

9 b. (1) For the fiscal year beginning July 1, 2012,
10 the department shall reimburse pharmacy dispensing
11 fees using a single rate of range between \$4.34 per
12 prescription or the pharmacy's usual and customary fee,
13 whichever is lower, and \$11.10 per prescription. The
14 actual dispensing fee set within the range shall be
15 determined by a cost of dispensing survey performed
16 by the department and required to be completed by all
17 medical assistance program participating pharmacies.
18 ~~However, the department shall adjust the dispensing fee~~
19 ~~specified in this paragraph to distribute an additional~~
20 ~~-\$2,981,980 in reimbursements for pharmacy dispensing~~
21 ~~fees under this paragraph for the fiscal year.~~

22 (2) The department shall implement an average
23 acquisition cost reimbursement methodology for all
24 drugs covered under the medical assistance program.
25 The methodology shall utilize a survey of pharmacy
26 invoices from a rotation of pharmacies in determining
27 the average acquisition cost component of pharmacy
28 reimbursement. Pharmacies and providers that are
29 enrolled in the medical assistance program shall make
30 available drug acquisition cost invoice information,
31 product availability information if known, and other
32 information deemed necessary by the department to
33 assist the department in monitoring and revising the
34 reimbursement rates and for efficient operation of
35 the pharmacy benefit. The department shall provide a
36 process for pharmacies to address average acquisition
37 cost prices that are not reflective of the actual cost
38 of a drug.

39 (a) A pharmacy or provider shall produce and submit
40 the requested information in the manner and format
41 requested by the department or its designee at no cost
42 to the department or its designee.

43 (b) A pharmacy or provider shall submit information
44 to the department or its designee within the time
45 frame indicated following receipt of a request for
46 information unless the department or its designee
47 grants an extension upon written request of the
48 pharmacy or provider.

49 f. For the fiscal year beginning July 1, 2012,
50 reimbursement rates for home health agencies shall

1 ~~remain at~~ be increased by 2 percent over the rates in
2 effect on June 30, 2012, not to exceed a home health
3 agency's actual allowable cost.

4 i. (1) For the fiscal year beginning July 1,
5 2012, state-owned psychiatric medical institutions
6 for children shall receive cost-based reimbursement
7 for 100 percent of the actual and allowable costs for
8 the provision of services to recipients of medical
9 assistance.

10 (2) For the nonstate-owned psychiatric medical
11 institutions for children, reimbursement rates shall be
12 based on the reimbursement methodology developed by the
13 department as required for federal compliance.

14 (3) As a condition of participation in the medical
15 assistance program, enrolled providers shall accept the
16 medical assistance reimbursement rate for any covered
17 goods or services provided to recipients of medical
18 assistance who are children under the custody of a
19 psychiatric medical institution for children.

20 q. For the fiscal year beginning July 1, 2012, the
21 ~~department shall adjust the rates in effect on June 30,~~
22 ~~2012, reimbursement rates for providers of home and~~
23 ~~community-based services waiver services to distribute~~
24 ~~an additional \$1,500,000 in reimbursements to such~~
25 ~~providers for the fiscal year shall be increased by 2~~
26 ~~percent over the rates in effect on June 30, 2012.~~

27 PROVIDER REIMBURSEMENT ---- SPECIFIED CHILD WELFARE
28 PROVIDERS

29 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
30 is amended by adding the following new subsection:

31 NEW SUBSECTION. 6A. For the fiscal year beginning
32 July 1, 2012, the department shall adjust the
33 foster family basic daily maintenance rate, the
34 maximum adoption subsidy rates for children, the
35 family-centered service providers rate, the family
36 foster care service providers rate, the group foster
37 care service providers rate, and the resource family
38 recruitment and retention contractor rate, as such
39 rates are identified in this section and were in effect
40 on June 30, 2012, in order to distribute an additional
41 \$3,070,512 in state reimbursements equitably to such
42 providers for the fiscal year.

43 PROVIDER REIMBURSEMENT ---- CHILD CARE

44 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
45 subsection 10, is amended to read as follows:

46 10. For the fiscal year beginning July 1, 2012,
47 for child care providers reimbursed under the state
48 child care assistance program, the department shall
49 set provider reimbursement rates based on the rate
50 reimbursement survey completed in December 2004.

1 Effective July 1, 2012, the child care provider
2 reimbursement rates shall ~~remain at~~ be increased by 4
3 percent over the rates in effect on June 30, 2012. The
4 department shall set rates in a manner so as to provide
5 incentives for a nonregistered provider to become
6 registered by applying the increase only to registered
7 and licensed providers.

8 REBASING STUDY ---- MEDICAID HOME HEALTH AND HCBS WAIVER
9 SERVICE PROVIDERS

10 Sec. 37. 2011 Iowa Acts, chapter 129, section 141,
11 is amended by adding the following new subsection:
12 NEW SUBSECTION. 10A. The department shall review
13 reimbursement of home health agency and home and
14 community-based services waiver services providers
15 and shall submit a recommendation for a rebasing
16 methodology applicable to such providers for the fiscal
17 year beginning July 1, 2013, and thereafter, to the
18 individuals identified in this division of this Act for
19 receipt of reports.

20 ELDERLY WAIVER

21 Sec. 38. 2011 Iowa Acts, chapter 129, section 141,
22 is amended by adding the following new subsection:
23 NEW SUBSECTION. 10B. The department shall
24 increase the monthly reimbursement cap for the medical
25 assistance home and community-based services waiver for
26 the elderly to \$1,400 per month.

27 REPORTS

28 Sec. 39. 2011 Iowa Acts, chapter 129, section 143,
29 is amended to read as follows:
30 SEC. 143. REPORTS. Any reports or other
31 information required to be compiled and submitted
32 under this Act shall be submitted to the chairpersons
33 and ranking members of the joint appropriations
34 subcommittee on health and human services, the
35 legislative services agency, and the legislative caucus
36 staffs on or before the dates specified for submission
37 of the reports or information.

38 DIVISION V

39 HEALTH CARE ACCOUNTS AND FUNDS

40 PHARMACEUTICAL SETTLEMENT ACCOUNT

41 Sec. 40. 2011 Iowa Acts, chapter 129, section 145,
42 is amended to read as follows:
43 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
44 is appropriated from the pharmaceutical settlement
45 account created in section 249A.33 to the department of
46 human services for the fiscal year beginning July 1,
47 2012, and ending June 30, 2013, the following amount,
48 or so much thereof as is necessary, to be used for the
49 purpose designated:

50 Notwithstanding any provision of law to the

1 contrary, to supplement the appropriations made in this
 2 Act for medical contracts under the medical assistance
 3 program for the fiscal year beginning July 1, 2012, and
 4 ending June 30, 2013:

5 \$ 2,716,807

6 IOWACARE ACCOUNT APPROPRIATIONS ---- UNIVERSITY OF IOWA
 7 HOSPITALS AND CLINICS

8 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
 9 subsection 2, unnumbered paragraph 2, is amended to
 10 read as follows:

11 For salaries, support, maintenance, equipment, and
 12 miscellaneous purposes, for the provision of medical
 13 and surgical treatment of indigent patients, for
 14 provision of services to members of the expansion
 15 population pursuant to chapter 249J, and for medical
 16 education:

17 \$ ~~44,226,279~~
 18 45,654,133

19 IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE TEACHING
 20 HOSPITAL

21 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
 22 subsection 4, unnumbered paragraph 2, is amended to
 23 read as follows:

24 For distribution to a publicly owned acute care
 25 teaching hospital located in a county with a population
 26 over 350,000 for the provision of medical and surgical
 27 treatment of indigent patients, for provision of
 28 services to members of the expansion population
 29 pursuant to chapter 249J, and for medical education:

30 \$ ~~65,000,000~~
 31 70,000,000

32 IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE HOSPITAL
 33 ALLOCATIONS

34 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
 35 subsection 4, paragraphs a and b, are amended to read
 36 as follows:

37 a. Notwithstanding any provision of law to the
 38 contrary, the amount appropriated in this subsection
 39 shall be distributed based on claims submitted,
 40 adjudicated, and paid by the Iowa Medicaid enterprise
 41 plus a monthly disproportionate share hospital payment.
 42 Any amount appropriated in this subsection in excess
 43 of ~~-\$60,000,000~~ \$65,000,000 shall be distributed
 44 only if the sum of the expansion population claims
 45 adjudicated and paid by the Iowa Medicaid enterprise
 46 plus the estimated disproportionate share hospital
 47 payments exceeds ~~-\$60,000,000~~ \$65,000,000. The amount
 48 paid in excess of ~~-\$60,000,000~~ \$65,000,000 shall
 49 not adjust the original monthly payment amount but
 50 shall be distributed monthly based on actual claims

1 adjudicated and paid by the Iowa Medicaid enterprise
 2 plus the estimated disproportionate share hospital
 3 amount. Any amount appropriated in this subsection in
 4 excess of ~~-\$60,000,000~~ \$65,000,000 shall be allocated
 5 only if federal funds are available to match the
 6 amount allocated. Pursuant to paragraph "b", of the
 7 amount appropriated in this subsection, not more than
 8 \$4,000,000 shall be distributed for prescription drugs,
 9 ~~and podiatry services, and optometric services.~~

10 b. Notwithstanding any provision of law to the
 11 contrary, the hospital identified in this subsection,
 12 shall be reimbursed for outpatient prescription drugs,
 13 ~~and podiatry services, and optometric services~~ provided
 14 to members of the expansion population pursuant to all
 15 applicable medical assistance program rules, in an
 16 amount not to exceed \$4,000,000.

17 IOWACARE ACCOUNT ---- REGIONAL PROVIDER NETWORK

18 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,
 19 subsection 5, unnumbered paragraph 2, is amended to
 20 read as follows:

21 For payment to the regional provider network
 22 specified by the department pursuant to section 249J.7
 23 for provision of covered services to members of the
 24 expansion population pursuant to chapter 249J:

25	\$	3,472,176
26		<u>4,986,366</u>

27 ACCOUNT FOR HEALTH CARE TRANSFORMATION

28 Sec. 45. 2011 Iowa Acts, chapter 129, section 148,
 29 is amended to read as follows:

30 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR
 31 HEALTH CARE TRANSFORMATION ---- DEPARTMENT OF HUMAN
 32 SERVICES. Notwithstanding any provision to the
 33 contrary, there is appropriated from the account for
 34 health care transformation created in section 249J.23
 35 to the department of human services for the fiscal year
 36 beginning July 1, 2012, and ending June 30, 2013, the
 37 following amounts, or so much thereof as is necessary,
 38 to be used for the purposes designated:

39 1. For the provision of an IowaCare nurse helpline
 40 for the expansion population as provided in section
 41 249J.6:

42	\$	50,000
43		<u>100,000</u>

44 2. For other health promotion partnership
 45 activities pursuant to section 249J.14:

46	\$	300,000
47		<u>600,000</u>

48 3. For the costs related to audits, performance
 49 evaluations, and studies required pursuant to chapter
 50 249J:

1	.....	\$	62,500
2			<u>125,000</u>
3	4. For administrative costs associated with chapter		
4	249J:		
5	.....	\$	566,206
6			<u>1,132,412</u>
7	5. For planning and development, in cooperation		
8	with the department of public health, of a phased-in		
9	program to provide a dental home for children in		
10	accordance with section 249J.14:		
11	.....	\$	500,000
12			<u>1,000,000</u>
13	6. For continuation of the establishment of the		
14	tuition assistance for individuals serving individuals		
15	with disabilities pilot program, as enacted in 2008		
16	Iowa Acts, chapter 1187, section 130:		
17	.....	\$	25,000
18			<u>50,000</u>
19	7. For medical contracts:		
20	.....	\$	1,000,000
21			<u>2,400,000</u>
22	8. For payment to the publicly owned acute care		
23	teaching hospital located in a county with a population		
24	of over 350,000 that is a participating provider		
25	pursuant to chapter 249J:		
26	.....	\$	145,000
27			<u>540,000</u>
28	Disbursements under this subsection shall be made		
29	monthly. The hospital shall submit a report following		
30	the close of the fiscal year regarding use of the		
31	funds appropriated in this subsection to the persons		
32	specified in this Act to receive reports.		
33	9. For transfer to the department of public health		
34	to be used for the costs of medical home system		
35	advisory council established pursuant to section		
36	135.159:		
37	.....	\$	116,679
38			<u>233,357</u>
39	10. For continued implementation of a uniform cost		
40	report:		
41	.....	\$	75,000
42			<u>150,000</u>
43	11. For continued implementation of an electronic		
44	medical records system:		
45	.....	\$	50,000
46			<u>100,000</u>
47	Notwithstanding section 8.33, funds allocated in		
48	this subsection that remain unencumbered or unobligated		
49	at the close of the fiscal year shall not revert but		
50	shall remain available in succeeding fiscal years to be		

1 used for the purposes designated.

2 12. For transfer to the department of public health

3 to support the department's activities relating to

4 health and long-term care access as specified pursuant

5 to chapter 135, division XXIV:

6 \$ ~~67,107~~

7 134,214

8 13. For continuation of an accountable care

9 organization pilot project:

10 \$ ~~50,000~~

11 100,000

12 14. For the continued development of a provider

13 payment system plan to provide recommendations to

14 reform the health care provider payment system as an

15 effective way to promote coordination of care, lower

16 costs, and improve quality:

17 \$ 100,000

18 15. For transfer to the department of public health

19 to be used as state matching funds for the health

20 information technology ~~system~~ network developed by the

21 department of public health:

22 \$ ~~181,993~~

23 363,987

24 16. To supplement the appropriation for medical

25 assistance:

26 ~~\$1,956,245~~ 4,106,245

27 Notwithstanding section 8.39, subsection 1, without

28 the prior written consent and approval of the governor

29 and the director of the department of management, the

30 director of human services may transfer funds among

31 the appropriations made in this section as necessary

32 to carry out the purposes of the account for health

33 care transformation. The department shall report

34 any transfers made pursuant to this section to the

35 legislative services agency.

36 MEDICAID FRAUD FUND

37 Sec. 46. 2011 Iowa Acts, chapter 129, section 150,

38 is amended to read as follows:

39 SEC. 150. MEDICAID FRAUD ~~ACCOUNT~~ FUND ---- DEPARTMENT

40 OF HUMAN SERVICES. There is appropriated from the

41 Medicaid fraud ~~account~~ fund created in section 249A.7

42 to the department of human services for the fiscal year

43 beginning July 1, 2012, and ending June 30, 2013, the

44 following amount, or so much thereof as is necessary,

45 to be used for the purposes designated:

46 To supplement the appropriation made in this Act

47 from the general fund of the state to the department of

48 human services for medical assistance for the fiscal

49 year beginning July 1, 2012, and ending June 30, 2013:

50 \$ 2,000,000

QUALITY ASSURANCE TRUST FUND

Sec. 47. 2011 Iowa Acts, chapter 129, section 151,
is amended to read as follows:

SEC. 151. QUALITY ASSURANCE TRUST FUND ----

DEPARTMENT OF HUMAN SERVICES. Notwithstanding
any provision to the contrary and subject to the
availability of funds, there is appropriated from the
quality assurance trust fund created in section 249L.4
to the department of human services for the fiscal year
beginning July 1, 2012, and ending June 30, 2013, the
following amounts, or so much thereof as is necessary
for the purposes designated:

To supplement the appropriation made in this Act
from the general fund of the state to the department of
human services for medical assistance:

.....	\$ 29,000,000
	<u>26,500,000</u>

HOSPITAL HEALTH CARE ACCESS TRUST FUND

Sec. 48. 2011 Iowa Acts, chapter 129, section 152,
is amended to read as follows:

SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND

---- DEPARTMENT OF HUMAN SERVICES. Notwithstanding
any provision to the contrary and subject to the
availability of funds, there is appropriated from
the hospital health care access trust fund created in
section 249M.4 to the department of human services for
the fiscal year beginning July 1, 2012, and ending June
30, 2013, the following amounts, or so much thereof as
is necessary, for the purposes designated:

1. To supplement the appropriation made in this Act
from the general fund of the state to the department of
human services for medical assistance:

.....	\$ 39,223,800
	<u>33,898,400</u>

2. For deposit in the nonparticipating provider
reimbursement fund created in section 249J.24A to be
used for the purposes of the fund:

.....	\$ 776,200
	<u>801,600</u>

MISCELLANEOUS PROVISIONS

Sec. 49. REPEAL. 2011 Iowa Acts, chapter 129,
section 149, is repealed.

DIVISION VI

CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT
CONTINGENCY FUND

Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM ----
CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE
OF FUNDS ---- FY 2011-2012.

1. Moneys received from the federal government
through the child enrollment contingency fund

1 established pursuant to section 103 of the federal
 2 Children's Health Insurance Program Reauthorization
 3 Act of 2009, Pub. L. No. 111-3, are appropriated to
 4 the department of human services for the fiscal year
 5 beginning July 1, 2011, and ending June 30, 2012, to be
 6 used in addition to any other amounts appropriated for
 7 the same purposes for the fiscal year as follows:

8 a. For adoption subsidy payments and services:
 9 \$ 2,177,355

10 b. For child care programs:
 11 \$ 1,212,432

12 c. For transfer to the department of public health
 13 to be used for tobacco use prevention, cessation, and
 14 treatment through support of Quitline Iowa:
 15 \$ 350,000

16 2. Notwithstanding section 8.39, and to the extent
 17 that funds appropriated in this section are unexpended
 18 or unobligated for the purposes specified in subsection
 19 1, the department of human services may transfer funds
 20 within or between any of the appropriations made in
 21 this section for the following purposes:

22 a. For adoption subsidy payments and services.

23 b. For child care assistance.

24 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM ----
 25 CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE
 26 OF FUNDS ---- FY 2012-2013.

27 1. a. Moneys received from the federal government
 28 through the child enrollment contingency fund
 29 established pursuant to section 103 of the federal
 30 Children's Health Insurance Program Reauthorization
 31 Act of 2009, Pub. L. No. 111-3, are appropriated to
 32 the department of human services for the fiscal year
 33 beginning July 1, 2012, and ending June 30, 2013, to be
 34 used in addition to any other amounts appropriated for
 35 the same purposes for the fiscal year as follows:

36 (1) For adoption subsidy payments and services:
 37 \$ 5,290,441

38 (2) For child care programs:
 39 \$ 7,969,021

40 (3) For mental health and disability services
 41 redesign technical assistance services:
 42 \$ 500,000

43 (4) For the field operations integrity claims unit:
 44 \$ 961,100

45 (5) For medical assistance program reimbursement
 46 and associated costs:
 47 \$ 4,950,428

48 (6) For lodging expenses associated with patient
 49 care provided at the university of Iowa hospital and
 50 clinics under chapter 249J:

1 \$ 200,000
2 The department of human services shall establish the
3 maximum number of overnight stays and the maximum rate
4 reimbursed for overnight lodging, which may be based on
5 the state employee rate established by the department
6 of administrative services. The funds allocated under
7 this subparagraph shall not be used as nonfederal share
8 matching funds.

9 (7) For ambulance services associated with patient
10 care provided under chapter 249J:
11 \$ 200,000

12 The department of human services shall establish
13 requirements for use of funds in this subparagraph for
14 ambulance services when no other third-party payment is
15 available. The funds allocated in this subparagraph
16 shall not be used as nonfederal share matching funds.

17 (8) For the public purpose of distribution to
18 a statewide nonprofit organization consisting of
19 low-income housing and homelessness service providers,
20 advocates, local governments, lending institutions,
21 and low-income and homeless individuals to be used to
22 empower low-income individuals and to increase their
23 access to affordable housing:
24 \$ 100,000

25 b. Notwithstanding section 8.39, and to the
26 extent that funds appropriated in this subsection are
27 unexpended or unobligated for the purposes specified
28 in paragraph "a", subparagraphs (1) and (2), for the
29 fiscal year beginning July 1, 2012, the department of
30 human services may transfer funds within or between any
31 of the appropriations made in this subsection for the
32 following purposes:

- 33 (1) For adoption subsidy payments and services.
34 (2) For child care assistance.

35 2. Moneys received from the federal government
36 through the child enrollment contingency fund
37 established pursuant to section 103 of the federal
38 Children's Health Insurance Program Reauthorization
39 Act of 2009, Pub. L. No. 111-3, are appropriated to
40 the department of human services for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, to be
42 used for audit settlements:
43 \$ 2,405,936

44 Notwithstanding section 8.33, moneys appropriated in
45 this subsection that remain unencumbered or unobligated
46 at the close of the fiscal year shall not revert to any
47 other fund but shall remain available for expenditure
48 for the purposes designated until the close of the
49 succeeding fiscal year.

50 Sec. 52. EFFECTIVE DATE PROVISIONS. The section of

1 this division of this Act appropriating moneys received
 2 through the federal Child Enrollment Contingency Fund
 3 for the fiscal year beginning July 1, 2011, and ending
 4 June 30, 2012, being deemed of immediate importance,
 5 take effect upon enactment.

6 Sec. 53. RETROACTIVE APPLICABILITY. The section of
 7 this division of this Act appropriating moneys received
 8 through the federal Child Enrollment Contingency Fund
 9 for the fiscal year beginning July 1, 2011, and ending
 10 June 30, 2012, applies retroactively to July 1, 2011.

11 DIVISION VII

12 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL 13 ASSISTANCE PROGRAM ADDITIONAL FUNDING

14 Sec. 54. RISK POOL APPROPRIATION FOR MEDICAL
 15 ASSISTANCE PROGRAM. All moneys remaining in the risk
 16 pool of the property tax relief fund on June 30,
 17 2012, following the distributions made pursuant to
 18 2012 Iowa Acts, [Senate File 2071](#), are appropriated to
 19 the department of human services for the fiscal year
 20 beginning July 1, 2012, and ending June 30, 2013, to be
 21 used for the purpose designated:

22 To be credited to the appropriation made for the
 23 medical assistance program in 2011 Iowa Acts, chapter
 24 129, section 122.

25 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES
 26 REDESIGN. There is appropriated from the general fund
 27 of the state to the department of human services for
 28 the fiscal year beginning July 1, 2012, and ending June
 29 30, 2013, the following amount, or so much thereof as
 30 is necessary, to be used for the purposes designated:

31 For the medical assistance program appropriation
 32 for the fiscal year for the expense of replacing
 33 the enhanced match rate provided through the federal
 34 American Recovery and Reinvestment Act of 2009 and
 35 for the reduction in the federal medical assistance
 36 percentage associated with the mental health and
 37 disabilities services for which the match has been paid
 38 by counties:

39 \$ 24,893,762

40 DIVISION VIII

41 PRIOR APPROPRIATIONS AND RELATED CHANGES 42 INJURED VETERANS GRANT PROGRAM

43 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69,
 44 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
 45 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
 46 section 56, and 2011 Iowa Acts, chapter 129, section
 47 53, is amended to read as follows:

48 Notwithstanding section 8.33, moneys appropriated in
 49 this subsection that remain unencumbered or unobligated
 50 at the close of the fiscal year shall not revert but

1 shall remain available for expenditure for the purposes
2 designated until the close of the fiscal year beginning
3 July 1, ~~2011~~ 2012.

4 CHILD WELFARE DECATEGORIZATION

5 FY 2009-2010 NONREVERSION

6 Sec. 57. 2009 Iowa Acts, chapter 182, section 14,
7 subsection 5, unnumbered paragraph 2, as enacted by
8 2011 Iowa Acts, chapter 129, section 55, is amended to
9 read as follows:

10 Notwithstanding section 232.188, subsection 5,
11 moneys from the allocations made in this subsection or
12 made from any other source for the decategorization of
13 child welfare and juvenile justice funding initiative
14 under section 232.188 for the fiscal year beginning
15 July 1, 2009, that are designated as carryover funding
16 that remain unencumbered or unobligated at the close
17 of the fiscal year beginning July 1, 2010, shall not
18 revert but shall be transferred ~~to~~ in equal amounts to
19 the community housing and services for persons with
20 disabilities revolving loan program fund created in
21 section 16.185, as enacted by this division of this
22 2011 Act and to the supportive and residential services
23 for individuals who meet the psychiatric medical
24 institution for children level of care competitive
25 grant program fund created in section 16.185A, as
26 enacted by this 2012 Act.

27 IOWA VETERANS HOME

28 Sec. 58. 2011 Iowa Acts, chapter 129, section 3,
29 subsection 2, is amended by adding the following new
30 paragraph:

31 NEW PARAGRAPH. d. The funds appropriated in this
32 subsection to the Iowa veterans home that remain
33 available for expenditure for the succeeding fiscal
34 year pursuant to section 35D.18, subsection 5, shall
35 be distributed to be used in the succeeding fiscal
36 year in accordance with this lettered paragraph. The
37 first \$500,000 shall remain available to be used for
38 the purposes of the Iowa veterans home. Any remaining
39 balance shall be credited to the appropriation in this
40 Act for the fiscal year beginning July 1, 2012, for
41 medical assistance.

42 FAMILY INVESTMENT PROGRAM ---- GENERAL FUND

43 Sec. 59. 2011 Iowa Acts, chapter 129, section 7, is
44 amended by adding the following new subsection:

45 NEW SUBSECTION. 5. Notwithstanding section
46 8.33, moneys appropriated in this section that remain
47 unencumbered or unobligated at the close of the fiscal
48 year shall not revert but shall remain available for
49 expenditure for the purposes designated until the close
50 of the succeeding fiscal year.

MEDICAL ASSISTANCE

1
2 Sec. 60. 2011 Iowa Acts, chapter 129, section 10,
3 subsection 20, paragraph d, is amended to read as
4 follows:

5 d. If the savings to the medical assistance
6 program exceed the cost, the department may transfer
7 any savings generated for the fiscal year due to
8 medical assistance program cost containment efforts
9 initiated pursuant to 2010 Iowa Acts, chapter 1031,
10 Executive Order No. 20, issued December 16, 2009, or
11 cost containment strategies initiated pursuant to this
12 subsection, to the ~~appropriation~~ appropriations made
13 in this division of this Act for medical contracts or
14 general administration to defray the increased contract
15 costs associated with implementing such efforts.

16 BEHAVIORAL HEALTH SERVICES ACCOUNT ---- MEDICAL
17 ASSISTANCE

18 Sec. 61. 2011 Iowa Acts, chapter 129, section 10,
19 is amended by adding the following new subsection:

20 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
21 Acts, chapter 182, section 9, subsection 16, paragraph
22 "b", as amended by 2010 Iowa Acts, chapter 1192,
23 section 63, as amended by 2011 Iowa Acts, chapter
24 129, section 54, funds in the account that remain
25 unencumbered or unobligated at the end of the fiscal
26 year beginning July 1, 2011, are appropriated to the
27 department of human services to be used for the medical
28 assistance program for the succeeding fiscal year.

29 STATE SUPPLEMENTARY ASSISTANCE

30 Sec. 62. 2011 Iowa Acts, chapter 129, section 11,
31 is amended by adding the following new subsection:

32 NEW SUBSECTION. 4. Notwithstanding section
33 8.33, moneys appropriated in this section that remain
34 unencumbered or unobligated at the close of the fiscal
35 year shall not revert but shall remain available for
36 expenditure for the purposes designated until the close
37 of the succeeding fiscal year.

38 FIELD OPERATIONS

39 Sec. 63. 2011 Iowa Acts, chapter 129, section
40 25, is amended by adding the following new unnumbered
41 paragraph:

42 NEW UNNUMBERED PARAGRAPH Notwithstanding section
43 8.33, moneys appropriated in this section that remain
44 unencumbered or unobligated at the close of the fiscal
45 year shall not revert but shall remain available for
46 expenditure for the purposes designated until the close
47 of the succeeding fiscal year.

48 GENERAL ADMINISTRATION

49 Sec. 64. 2011 Iowa Acts, chapter 129, section 26,
50 is amended by adding the following new subsection:

1 NEW SUBSECTION. 6. Notwithstanding section
2 8.33, moneys appropriated in this section that remain
3 unencumbered or unobligated at the close of the fiscal
4 year shall not revert but shall remain available for
5 expenditure for the purposes designated until the close
6 of the succeeding fiscal year.

7 IOWACARE DISTRIBUTIONS

8 Sec. 65. 2011 Iowa Acts, chapter 129, section
9 35, subsection 4, paragraph a, is amended to read as
10 follows:

11 a. Notwithstanding any provision of law to the
12 contrary, the amount appropriated in this subsection
13 shall be distributed based on claims submitted,
14 adjudicated, and paid by the Iowa Medicaid enterprise
15 plus a monthly disproportionate share hospital payment.
16 Any amount appropriated in this subsection in excess
17 of ~~-\$60,000,000~~ \$56,500,000 shall be distributed
18 only if the sum of the expansion population claims
19 adjudicated and paid by the Iowa Medicaid enterprise
20 plus the estimated disproportionate share hospital
21 payments exceeds ~~-\$60,000,000~~ \$56,500,000. The amount
22 paid in excess of ~~-\$60,000,000~~ \$56,500,000 shall
23 not adjust the original monthly payment amount but
24 shall be distributed monthly based on actual claims
25 adjudicated and paid by the Iowa Medicaid enterprise
26 plus the estimated disproportionate share hospital
27 amount. Any amount appropriated in this subsection in
28 excess of ~~-\$60,000,000~~ \$56,500,000 shall be allocated
29 only if federal funds are available to match the
30 amount allocated. Pursuant to paragraph "b", of the
31 amount appropriated in this subsection, not more than
32 \$4,000,000 shall be distributed for prescription drugs
33 and podiatry services.

34 Sec. 66. 2011 Iowa Acts, chapter 129, section 35,
35 subsection 4, paragraph d, subparagraph (2), is amended
36 to read as follows:

37 (2) Notwithstanding the amount collected and
38 distributed for deposit in the IowaCare account
39 pursuant to section 249J.24, subsection 4, paragraph
40 "a", subparagraph (2), the first \$19,000,000 in
41 collections pursuant to section 347.7 between January
42 1, 2012, and June 30, 2012, shall be distributed to
43 the treasurer of state for deposit in the IowaCare
44 account and collections during this time period in
45 excess of \$19,000,000 shall be distributed to the acute
46 care teaching hospital identified in this subsection.
47 ~~Of the collections in excess of the \$19,000,000~~
48 ~~received by the acute care teaching hospital under this~~
49 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
50 ~~the acute care teaching hospital to the treasurer of~~

~~1 state for deposit in the IowaCare account in the month~~
~~2 of July 2012, following the January 1 through June 30,~~
~~3 2012, period.~~

4 Sec. 67. IMMEDIATE EFFECTIVE DATE. This division
5 of this Act, being deemed of immediate importance,
6 takes effect upon enactment.

7 Sec. 68. RETROACTIVE APPLICABILITY. The
8 following sections of this division of this Act apply
9 retroactively to July 1, 2011:

10 1. The section relating to the transfer of funds
11 from costs savings under the medical assistance program
12 to appropriations for medical contracts or general
13 administration for the fiscal year beginning July 1,
14 2011, and ending June 30, 2012.

15 2. The section relating to the nonreversion of
16 decategorization of child welfare and juvenile justice
17 funds.

18 3. The section relating to the distribution of
19 IowaCare program funds.

20 DIVISION IX
21 MISCELLANEOUS

22 Sec. 69. NEW SECTION. 8A.441 Medication therapy
23 management.

24 1. As used in this section, unless the context
25 otherwise requires:

26 a. "Eligible employee" means an employee of the
27 state, with the exception of an employee of the state
28 board of regents or institutions under the state board
29 of regents, for whom group health plans are established
30 pursuant to chapter 509A providing for third-party
31 payment or prepayment for health or medical expenses.

32 b. "Medication therapy management" means a
33 systematic process performed by a licensed pharmacist,
34 designed to improve quality outcomes for patients
35 and lower health care costs, including emergency
36 room, hospital, provider, and other costs, by
37 optimizing appropriate medication use linked directly
38 to achievement of the clinical goals of therapy.
39 Medication therapy management shall include all of the
40 following services:

41 (1) A medication therapy review and in-person
42 consultation relating to all medications, vitamins, and
43 herbal supplements currently being taken by an eligible
44 individual.

45 (2) A medication action plan, subject to the
46 limitations specified in this section, communicated
47 to the individual and the individual's primary care
48 physician or other appropriate prescriber to address
49 issues including appropriateness, effectiveness,
50 safety, drug interactions, and adherence. The

1 medication action plan may include drug therapy
2 recommendations to prescribers that are needed to meet
3 clinical goals and achieve optimal patient outcomes.

4 (3) Documentation and follow-up to ensure
5 consistent levels of pharmacy services and positive
6 outcomes.

7 2. a. The department shall utilize a request for
8 proposals process and shall enter into a contract for
9 the provision of medication therapy management services
10 for eligible employees who meet any of the following
11 criteria:

12 (1) An individual who takes four or more
13 prescription drugs to treat or prevent two or more
14 chronic medical conditions.

15 (2) An individual with a prescription drug therapy
16 problem who is identified by the prescribing physician
17 or other appropriate prescriber, and referred to a
18 pharmacist for medication therapy management services.

19 (3) An individual who meets other criteria
20 established by the third-party payment provider
21 contract, policy, or plan.

22 b. The contract shall require the entity to provide
23 annual reports to the general assembly detailing
24 the costs, savings, estimated cost avoidance and
25 return on investment, and improved patient outcomes
26 related to the medication therapy management services
27 provided. The entity shall guarantee demonstrated
28 annual savings for overall health care costs, including
29 emergency room, hospital, provider, and other costs,
30 with savings including associated cost avoidance, at
31 least equal to the program's costs with any shortfall
32 amount refunded to the state. The contract shall
33 include terms, conditions, and applicable measurement
34 standards associated with the demonstration of savings.
35 The department shall verify the demonstrated savings
36 reported by the entity were achieved in accordance with
37 the agreed upon measurement standards. The entity
38 shall be prohibited from using the entity's employees
39 to provide the medication therapy management services
40 and shall instead be required to contract with licensed
41 pharmacies, pharmacists, or physicians.

42 c. The department may establish an advisory
43 committee comprised of an equal number of physicians
44 and pharmacists to provide advice and oversight in
45 evaluating the results of the program. The department
46 shall appoint the members of the advisory committee
47 based upon designees of the Iowa pharmacy association,
48 the Iowa medical society, and the Iowa osteopathic
49 medical association.

50 d. The fees for pharmacist-delivered medication

1 therapy management services shall be separate from
2 the reimbursement for prescription drug product or
3 dispensing services; shall be determined by each
4 third-party payment provider contract, policy, or plan;
5 and must be reasonable based on the resources and time
6 required to provide the service.

7 e. A fee shall be established for physician
8 reimbursement for services delivered for medication
9 therapy management as determined by each third-party
10 payment provider contract, policy, or plan, and must be
11 reasonable based on the resources and time required to
12 provide the service.

13 f. If any part of the medication therapy management
14 plan developed by a pharmacist incorporates services
15 which are outside the pharmacist's independent scope
16 of practice including the initiation of therapy,
17 modification of dosages, therapeutic interchange, or
18 changes in drug therapy, the express authorization
19 of the individual's physician or other appropriate
20 prescriber is required.

21 Sec. 70. NEW SECTION. 16.185A Supportive and
22 residential services for individuals who meet the
23 psychiatric medical institution for children level of
24 care ---- competitive grant program fund.

25 1. A supportive and residential services
26 competitive grant program fund is created within the
27 authority to further the availability of supportive
28 and residential services for individuals who meet the
29 psychiatric medical institution for children level of
30 care under the medical assistance program. The moneys
31 in the fund are appropriated to the authority to be
32 used for the development and operation of a competitive
33 grant program to provide financing to construct
34 supportive housing or develop the infrastructure in
35 which to provide supportive services, including through
36 new construction, acquisition and rehabilitation of
37 existing housing or infrastructure, or conversion or
38 adaptive reuse.

39 2. Moneys transferred by the authority for
40 deposit in the competitive grant program fund, moneys
41 appropriated to the competitive grant program,
42 and any other moneys available to and obtained
43 or accepted by the authority for placement in the
44 fund shall be credited to the fund. Additionally,
45 payment of interest, recaptures of awards, and other
46 repayments to the fund shall be credited to the fund.
47 Notwithstanding section 12C.7, subsection 2, interest
48 or earnings on moneys in the fund shall be credited
49 to the fund. Notwithstanding section 8.33, moneys
50 credited to the fund from any other fund that remain

1 unencumbered or unobligated at the close of the fiscal
2 year shall not revert to the other fund.

3 3. The authority shall allocate moneys in the
4 fund to the extent available for the development of
5 supportive housing or the infrastructure in which to
6 provide supportive services for individuals who meet
7 the psychiatric medical institution for children level
8 of care under the medical assistance program. Moneys
9 allocated to such projects shall be in the form of
10 competitive grants. An application submitted shall
11 contain a commitment of at least a dollar-for-dollar
12 match of the grant assistance.

13 4. a. A project shall demonstrate written approval
14 of the project by the department of human services to
15 the authority prior to application for funding under
16 this section.

17 b. In order to be approved by the department of
18 human services for application for funding under this
19 section, a project shall include all of the following
20 components:

21 (1) Provision of services to individuals who meet
22 the psychiatric medical institution for children level
23 of care under the medical assistance program.

24 (2) Policies and procedures that prohibit discharge
25 of the individual from the services provided by the
26 project provider unless an alternative placement that
27 is acceptable to the client or the client's guardian is
28 identified.

29 5. Housing provided through a project under this
30 section is exempt from the requirements of chapter
31 1350.

32 6. The authority, in collaboration with the
33 department of human services, shall adopt rules
34 pursuant to chapter 17A to administer this section.

35 Sec. 71. Section 97B.39, Code 2011, is amended to
36 read as follows:

37 97B.39 Rights not transferable or subject to legal
38 process ---- exceptions.

39 The right of any person to any future payment under
40 this chapter is not transferable or assignable, at
41 law or in equity, and the moneys paid or payable or
42 rights existing under this chapter are not subject to
43 execution, levy, attachment, garnishment, or other
44 legal process, or to the operation of any bankruptcy
45 or insolvency law except for the purposes of enforcing
46 child, spousal, or medical support obligations or
47 marital property orders, or for recovery of medical
48 assistance payments pursuant to section 249A.5.

49 For the purposes of enforcing child, spousal, or
50 medical support obligations, the garnishment or

1 attachment of or the execution against compensation
2 due a person under this chapter shall not exceed
3 the amount specified in 15 U.S.C. { 1673(b). The
4 system shall comply with the provisions of a marital
5 property order requiring the selection of a particular
6 benefit option, designated beneficiary, or contingent
7 annuitant if the selection is otherwise authorized
8 by this chapter and the member has not received
9 payment of the member's first retirement allowance.
10 However, a marital property order shall not require
11 the payment of benefits to an alternative payee prior
12 to the member's retirement, prior to the date the
13 member elects to receive a lump sum distribution of
14 accumulated contributions pursuant to section 97B.53,
15 or in an amount that exceeds the benefits the member
16 would otherwise be eligible to receive pursuant to this
17 chapter.

18 Sec. 72. Section 135.11, Code Supplement 2011, is
19 amended by adding the following new subsection:

20 NEW SUBSECTION. 31. Administer a public awareness
21 program for human papillomavirus infection vaccination
22 by identifying medically accurate materials that
23 contain information regarding the risks associated with
24 the various forms of the infection in causing cervical
25 cancer, and any other diseases for which the department
26 may recommend immunization or immunization information,
27 and the availability, effectiveness, and potential
28 risks of those vaccines. The department shall make
29 the identified materials available on the department's
30 internet site, provide education and training to
31 health professionals and the general public regarding
32 the vaccines, and notify each school district in the
33 state of the availability of the information. For the
34 purposes of this subsection, "human papillomavirus"
35 means the group of viruses identified by the centers
36 for disease control and prevention of the United States
37 department of health and human services.

38 Sec. 73. Section 135H.10, subsection 3, Code 2011,
39 is amended by striking the subsection.

40 Sec. 74. Section 144D.4, as enacted by 2012 Iowa
41 Acts, House File 2165, section 5, is amended by adding
42 the following new subsection:

43 NEW SUBSECTION. 10. A POST form executed between
44 July 1, 2008, and June 30, 2012, as part of the patient
45 autonomy in health care decisions pilot project created
46 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
47 as amended by 2010 Iowa Acts, chapter 1192, section 58,
48 shall remain effective until revoked or until a new
49 POST form is executed pursuant to this chapter.

50 Sec. 75. Section 225B.8, Code Supplement 2011, is

1 amended to read as follows:

2 225B.8 Repeal.

3 This chapter is repealed July 1, ~~2012~~ 2017.

4 Sec. 76. NEW SECTION. 231.45 Certified volunteer
5 long-term care resident's advocate program.

6 1. The department shall establish a certified
7 volunteer long-term care resident's advocate program in
8 accordance with the federal Act to provide assistance
9 to the state and local long-term care resident's
10 advocates.

11 2. The department shall develop and implement a
12 certification process for volunteer long-term care
13 resident's advocates including but not limited to
14 an application process, provision for background
15 checks, classroom or on-site training, orientation, and
16 continuing education.

17 3. The provisions of section 231.42 relating to
18 local long-term care resident's advocates shall apply
19 to certified volunteer long-term care resident's
20 advocates.

21 4. The department shall adopt rules pursuant to
22 chapter 17A to administer this section.

23 Sec. 77. Section 237.3, Code 2011, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 11. The department shall adopt
26 rules to administer a certified foster care respite
27 provider program to provide respite in a licensed
28 foster home. The certified respite provider program
29 shall provide care, supervision, or guidance of a
30 foster child when the child is placed with a licensed
31 foster home. The certified foster care respite
32 provider shall be responsible to have liability
33 insurance to provide for any loss or damage arising out
34 of occurrences during the provision of certified foster
35 care respite provider care.

36 Sec. 78. Section 237.13, subsection 4, Code 2011,
37 is amended by adding the following new paragraph:

38 NEW PARAGRAPH. h. Any loss or damage arising out
39 of occurrences during the provision of certified foster
40 care respite provider care pursuant to section 237.3,
41 subsection 11.

42 Sec. 79. NEW SECTION. 239B.2C Absence from home
43 ---- incarceration.

44 An individual family member who is absent from the
45 home for more than three months because the individual
46 is incarcerated in jail or a correctional facility
47 shall not be included in the family unit for purposes
48 of assistance.

49 Sec. 80. NEW SECTION. 249A.17 Reimbursement for
50 providers of outpatient clinical services for children.

1 1. Providers that meet the criteria specified in
2 subsection 2, shall receive cost-based reimbursement
3 for one hundred percent of the reasonable costs, as
4 determined by Medicare reimbursement principles, for
5 provision of outpatient clinical services for children
6 who are recipients of medical assistance.

7 2. In order to be eligible for reimbursement under
8 this section, a provider shall be an accredited,
9 nonprofit agency that meets all of the following
10 criteria:

11 a. Provides clinical outpatient services to
12 children of whom at least sixty percent are recipients
13 of medical assistance.

14 b. Provides at least three children's mental health
15 services including inpatient services, outpatient
16 services, psychiatric and psychological services, and
17 behavioral health intervention services.

18 c. Directly employs a psychiatrist, psychologist,
19 and licensed therapist.

20 Sec. 81. Section 453A.35, Code Supplement 2011, is
21 amended to read as follows:

22 453A.35 Tax and fees paid to ~~general fund~~
23 ~~standing appropriation to~~ health care trust fund.

24 1. a. ~~With the exception of revenues credited to~~
25 ~~the health care trust fund pursuant to paragraph "b",~~
26 ~~the~~ The proceeds derived from the sale of stamps and
27 the payment of taxes, fees, and penalties provided for
28 under this chapter, and the permit fees received from
29 all permits issued by the department, shall be credited
30 to the ~~general fund of the state~~.

31 b. ~~Of the revenues generated from the tax on~~
32 ~~cigarettes pursuant to section 453A.6, subsection 1,~~
33 ~~and from the tax on tobacco products as specified in~~
34 ~~section 453A.43, subsections 1, 2, 3, and 4, the first~~
35 ~~one hundred six million sixteen thousand four hundred~~
36 ~~dollars shall be credited to the~~ health care trust fund
37 created in section 453A.35A.

38 2. All permit fees provided for in this chapter and
39 collected by cities in the issuance of permits granted
40 by the cities shall be paid to the treasurer of the
41 city where the permit is effective, or to another city
42 officer as designated by the council, and credited to
43 the general fund of the city. Permit fees so collected
44 by counties shall be paid to the county treasurer.

45 Sec. 82. Section 453A.35A, subsection 1, Code
46 Supplement 2011, is amended to read as follows:

47 1. A health care trust fund is created in the
48 office of the treasurer of state. The fund consists
49 of the revenues ~~generated from the tax on cigarettes~~
50 ~~pursuant to section 453A.6, subsection 1, and from~~

~~1 the tax on tobacco products as specified in section~~
~~2 453A.43, subsections 1, 2, 3, and 4, that are credited~~
~~3 to the health care trust fund, annually, pursuant to~~
~~4 section 453A.35 derived from the sale of stamps and~~
~~5 the payment of taxes, fees, and penalties provided~~
~~6 for under this chapter, and the permit fees received~~
~~7 from all permits issued by the department. Moneys~~
~~8 in the fund shall be separate from the general fund~~
~~9 of the state and shall not be considered part of the~~
10 general fund of the state. However, the fund shall
11 be considered a special account for the purposes
12 of section 8.53 relating to generally accepted
13 accounting principles. Moneys in the fund shall be
14 used only as specified in this section and shall be
15 appropriated only for the uses specified. Moneys in
16 the fund are not subject to section 8.33 and shall
17 not be transferred, used, obligated, appropriated,
18 or otherwise encumbered, except as provided in this
19 section. Notwithstanding section 12C.7, subsection 2,
20 interest or earnings on moneys deposited in the fund
21 shall be credited to the fund.

22 Sec. 83. COST-BASED REIMBURSEMENT ---- PROVIDERS OF
23 CHILDREN'S OUTPATIENT CLINICAL SERVICES.

24 1. The department of human services shall seek
25 federal approval to amend the medical assistance
26 program state plan and shall amend the contract
27 with the department's managed care contractor for
28 behavioral health services under the medical assistance
29 program to provide medical assistance reimbursement to
30 providers that meet the criteria specified in section
31 249A.17, as enacted in this division of this Act, at
32 100 percent of the reasonable costs for recipients of
33 medical assistance for outpatient clinical services for
34 children.

35 2. Implementation of section 249A.17, as enacted
36 in this division of this Act, is contingent upon
37 receipt of federal approval and limited to the funding
38 made available through amending the contract with the
39 managed care contractor.

40 3. The department shall adopt rules pursuant to
41 chapter 17A to provide reimbursement for outpatient
42 clinical services for children as described in this
43 section. The rules shall provide that reimbursement
44 shall initially be paid on an interim basis and
45 subsequently adjusted retroactively based on submission
46 of financial and statistical reports as required by the
47 department.

48 Sec. 84. EFFECTIVE UPON ENACTMENT. The section
49 of this division of this Act enacting section 8A.441,
50 being deemed of immediate importance, takes effect upon

1 enactment.

2 DIVISION X

3 DIRECT CARE PROFESSIONALS

4 Sec. 85. NEW SECTION. 152F.1 Definitions.

5 As used in this chapter, unless the context

6 otherwise requires:

7 1. "Board" means the board of direct care

8 professionals created under chapter 147.

9 2. "Community living professional" means a direct
10 care associate who has completed advanced training and
11 is certified to provide home and community living,
12 instrumental activities of daily living, and personal
13 support services.

14 3. "Direct care associate" means an individual who
15 has completed core training and is certified to provide
16 direct care services in the state.

17 4. "Direct care instructor" means an individual
18 approved by the board to provide direct care
19 instruction to direct care professionals.

20 5. "Direct care professional" means an individual
21 who provides direct care services for compensation
22 and is a direct care associate, a community living
23 professional, a health support professional, or a
24 personal support professional.

25 6. "Direct care services" means the services
26 provided to individuals who are ill or individuals
27 with disabilities as specified in the individual's
28 service plan or in documented goals, including but
29 not limited to home and community living services,
30 instrumental activities of daily living services,
31 personal activities of daily living services, personal
32 support services, and health monitoring and maintenance
33 services.

34 7. "Direct care trainer" means a direct care
35 instructor who is approved by the board to train
36 instructors.

37 8. "Health monitoring and maintenance services"
38 means medically-oriented services that assist an
39 individual in maintaining the individual's health
40 including measuring intake and output; providing
41 catheter and ostomy care; collecting specimens;
42 checking vital signs, including temperature, pulse,
43 respiration, and blood pressure; measuring height and
44 weight; performing range of motion exercises; providing
45 assistance with urinary care; and application of
46 thrombo embolic deterrent hose or hot and cold packs.

47 9. "Health support professional" means a direct
48 care associate who has completed advanced training
49 and is certified to provide personal activities of
50 daily living and health monitoring and maintenance

1 services or a direct care associate who has met the
2 federal nurse aide requirements pursuant to 42 C.F.R. {
3 483.152.

4 10. "Home and community living services" means
5 services to enhance or maintain independence of
6 individuals including such activities as helping
7 individuals develop and meet personal goals, providing
8 direct physical and emotional support and assistance
9 for persons with disabilities, utilizing crisis
10 intervention and positive behavior supports, and using
11 and following individual support plans.

12 11. "Instrumental activities of daily living
13 services" means services provided to assist individuals
14 with daily living tasks to allow them to function
15 independently in a home or community setting, including
16 but not limited to assistance with managing money,
17 transportation, light housekeeping, and shopping and
18 cooking.

19 12. "Personal activities of daily living services"
20 means services to assist individuals in meeting basic
21 needs, including but not limited to bathing, back rubs,
22 and skin care; grooming activities; assistance with
23 dressing and undressing; assistance with eating and
24 feeding; assistance with toileting; and assistance with
25 mobility, including transfers, walking, and turning in
26 bed.

27 13. "Personal support professional" means a direct
28 care associate who has completed advanced training and
29 is certified to provide instrumental activities of
30 daily living, personal activities of daily living, and
31 personal support services.

32 14. "Personal support services" means support
33 services provided to an individual as the individual
34 performs personal activities of daily living including
35 but not limited to coaching and prompting, and teaching
36 skills and behaviors.

37 15. "Service plan" means a written,
38 consumer-centered, outcome-based plan of services.

39 16. "Specialty endorsement" means an advanced level
40 of certification based on requirements developed by
41 experts in a particular discipline or professional area
42 and approved by the board.

43 Sec. 86. NEW SECTION. 152F.2 Certification
44 required ---- exceptions ---- use of title.

45 1. Unless otherwise exempt under section 152F.4,
46 beginning January 1, 2014, an individual shall not
47 provide direct care services in this state without
48 being certified as a direct care associate.

49 2. An individual who is not certified pursuant to
50 this chapter shall not use words or titles which imply

1 or represent that the individual is certified as a
2 direct care professional under this chapter.

3 3. A direct care associate shall not act as
4 or represent that the individual is a direct care
5 professional with advanced training certification
6 or a specialty endorsement, unless the direct care
7 associate is first certified at the appropriate level
8 of certification under this chapter.

9 4. Notwithstanding any provision to the contrary,
10 an individual who completes advanced training or
11 meets the requirements for a specialty endorsement
12 is not required to be certified at that level if
13 the individual does not act as or represent that the
14 individual is certified at that level. Section 147.83
15 does not apply to a direct care associate who is not
16 certified as a direct care professional with advanced
17 training certification or a specialty endorsement if
18 the direct care associate does not act as or represent
19 that the individual is certified at that level.

20 Sec. 87. NEW SECTION. 152F.3 Requirements to
21 obtain certification ---- renewal ---- continuing education
22 ---- reciprocity.

23 1. An applicant for certification as a direct care
24 associate shall present evidence satisfactory to the
25 board that the applicant meets all of the following
26 requirements:

27 a. The applicant has successfully completed the
28 required education for the certification from a
29 board-approved direct care instructor or direct care
30 trainer.

31 b. The applicant has paid all fees required by the
32 board.

33 c. The applicant certifies that the applicant will
34 conduct all professional activities in accordance with
35 standards for professional conduct established by the
36 board.

37 2. An applicant for certification as a direct care
38 professional with advanced training or a specialty
39 endorsement shall present evidence satisfactory to the
40 board that the applicant meets all of the following
41 requirements:

42 a. The applicant has successfully completed the
43 required education for the certification from a
44 board-approved direct care instructor or direct care
45 trainer.

46 b. The applicant has paid all fees required by the
47 board.

48 c. The applicant has passed a state examination
49 approved by the board.

50 d. The applicant certifies that the applicant will

1 conduct all professional activities in accordance with
2 standards for professional conduct established by the
3 board.

4 3. An individual shall renew the individual's
5 certification biennially. Prior to such renewal, the
6 individual shall present evidence that the individual
7 has satisfied continuing education requirements and
8 shall pay a renewal fee as determined by the board.

9 4. The board shall issue the appropriate
10 certification to an applicant who demonstrates
11 experience in direct care services in another state and
12 meets the requirements established by the board for the
13 specific certification.

14 Sec. 88. NEW SECTION. 152F.4 Scope of chapter.

15 1. The provisions of this chapter do not apply to
16 any of the following:

17 a. An individual who is providing direct care
18 services and is governed by a collective bargaining
19 agreement in place before July 1, 2017, until the
20 expiration of such agreement.

21 b. An individual providing direct care services to
22 a family member.

23 c. An individual otherwise licensed who is
24 operating within the scope of that license and who does
25 not represent to the public that the individual is a
26 direct care professional.

27 2. This chapter shall not be interpreted to
28 preclude an individual who provides direct care
29 services but is not otherwise required to be certified
30 under this chapter from being certified under this
31 chapter on a voluntary basis.

32 Sec. 89. NEW SECTION. 152F.5 Duties of the board.

33 The board shall do all of the following:

34 1. Adopt rules consistent with this chapter,
35 chapter 147, chapter 272, and the recommendations of
36 the direct care worker advisory council established
37 pursuant to 2008 Iowa Acts, chapter 1188, section 69,
38 which are necessary for the performance of its duties.

39 2. Adopt rules to provide a transition process
40 that allows individuals providing direct care services
41 on or before January 1, 2014, who are subject to
42 the certification requirements of this chapter,
43 to continue providing direct care services while
44 completing certification under this chapter. The rules
45 shall provide that certification requirements for an
46 individual subject to the transition process are based
47 on consideration of previous training, employment
48 history, and experience. An individual subject to the
49 transition process shall complete the requirements for
50 direct care associate certification within a time frame

1 determined by rule of the board.

2 3. Establish curriculum requirements for health
3 support professionals. The curriculum requirements
4 established shall not exceed the curriculum
5 requirements specified for nurse aides pursuant to
6 42 C.F.R. { 483.152, without prior approval of sixty
7 percent of the members of the board and prior approval
8 of the department of inspections and appeals.

9 4. Require an individual to undergo criminal
10 history and child and dependent adult abuse record
11 checks prior to certification, and establish record
12 checks requirements applicable to direct care
13 professionals consistent with section 135C.33.

14 5. Establish dependent adult abuse reporting and
15 training requirements consistent with chapters 235B and
16 235E, as applicable.

17 6. Establish standards and guidelines for
18 certification reciprocity.

19 7. Establish standards and guidelines for direct
20 care professionals, including minimum curriculum
21 requirements.

22 8. Prepare and conduct, or prescribe, an
23 examination for applicants for certification.

24 9. Establish standards and guidelines for direct
25 care instructors and direct care trainers, including
26 minimum curriculum requirements and continuing
27 education requirements. Training and continuing
28 education guidelines shall provide diverse options for
29 completion of the training and continuing education,
30 as appropriate, including but not limited to online,
31 employer-based, or educational institution-based
32 opportunities.

33 10. Define educational activities which fulfill
34 continuing education requirements for renewal of
35 certification.

36 11. Establish guidelines for inactive certification
37 status and inactive certification reentry.

38 12. Establish a grace period during which a newly
39 employed individual may provide direct care services
40 before being required to complete the appropriate level
41 of certification under this chapter.

42 Sec. 90. NEW SECTION. 152F.6 Certification
43 suspension and revocation.

44 A certification issued by the board under this
45 chapter may be suspended or revoked, or renewal of
46 certification may be denied by the board, for violation
47 of any provision of this chapter, section 147.55 or
48 272C.10, or rules adopted by the board.

49 Sec. 91. Section 10A.402, subsection 1, Code 2011,
50 is amended to read as follows:

1 1. Investigations relative to the practice of
2 regulated professions and occupations, except those
3 within the jurisdiction of the board of medicine, the
4 board of pharmacy, the dental board, ~~and~~ the board of
5 nursing, and the board of direct care professionals.

6 Sec. 92. Section 135.11A, Code 2011, is amended to
7 read as follows:

8 135.11A Professional licensure division ---- other
9 licensing boards ---- expenses ---- fees.

10 1. There shall be a professional licensure
11 division within the department of public health. Each
12 board under chapter 147 or under the administrative
13 authority of the department, except the board of
14 nursing, board of medicine, dental board, ~~and~~ board of
15 pharmacy, and board of direct care professionals shall
16 receive administrative and clerical support from the
17 division and may not employ its own support staff for
18 administrative and clerical duties.

19 2. The professional licensure division and the
20 licensing boards may expend funds in addition to
21 amounts budgeted, if those additional expenditures are
22 directly the result of actual examination and exceed
23 funds budgeted for examinations. Before the division
24 or a licensing board expends or encumbers an amount
25 in excess of the funds budgeted for examinations, the
26 director of the department of management shall approve
27 the expenditure or encumbrance. Before approval is
28 given, the department of management shall determine
29 that the examination expenses exceed the funds budgeted
30 by the general assembly to the division or board
31 and the division or board does not have other funds
32 from which examination expenses can be paid. Upon
33 approval of the department of management, the division
34 or licensing board may expend and encumber funds for
35 excess examination expenses. The amounts necessary to
36 fund the excess examination expenses shall be collected
37 as fees from additional examination applicants and
38 shall be treated as repayment receipts as defined in
39 section 8.2.

40 Sec. 93. Section 135.31, Code 2011, is amended to
41 read as follows:

42 135.31 Location of boards ---- rulemaking.

43 The offices for the board of medicine, the board
44 of pharmacy, the board of nursing, ~~and~~ the dental
45 board, and the board of direct care professionals shall
46 be located within the department of public health.
47 The individual boards shall have policymaking and
48 rulemaking authority.

49 Sec. 94. Section 147.1, subsections 3 and 6, Code
50 2011, are amended to read as follows:

1 3. "Licensed" or "certified", when applied
2 to a physician and surgeon, podiatric physician,
3 osteopathic physician and surgeon, physician assistant,
4 psychologist, chiropractor, nurse, dentist, dental
5 hygienist, dental assistant, optometrist, speech
6 pathologist, audiologist, pharmacist, physical
7 therapist, physical therapist assistant, occupational
8 therapist, occupational therapy assistant, respiratory
9 care practitioner, practitioner of cosmetology arts and
10 sciences, practitioner of barbering, funeral director,
11 dietitian, marital and family therapist, mental health
12 counselor, social worker, massage therapist, athletic
13 trainer, acupuncturist, nursing home administrator,
14 hearing aid dispenser, ~~or~~ sign language interpreter or
15 transliterator, or direct care professional means a
16 person licensed under this subtitle.

17 6. "Profession" means medicine and surgery,
18 podiatry, osteopathic medicine and surgery, practice
19 as a physician assistant, psychology, chiropractic,
20 nursing, dentistry, dental hygiene, dental assisting,
21 optometry, speech pathology, audiology, pharmacy,
22 physical therapy, physical therapist assisting,
23 occupational therapy, occupational therapy assisting,
24 respiratory care, cosmetology arts and sciences,
25 barbering, mortuary science, marital and family
26 therapy, mental health counseling, social work,
27 dietetics, massage therapy, athletic training,
28 acupuncture, nursing home administration, hearing
29 aid dispensing, ~~or~~ sign language interpreting
30 or transliterating, or practice as a direct care
31 professional.

32 Sec. 95. Section 147.2, subsection 1, Code 2011, is
33 amended to read as follows:

34 1. A person shall not engage in the practice of
35 medicine and surgery, podiatry, osteopathic medicine
36 and surgery, psychology, chiropractic, physical
37 therapy, physical therapist assisting, nursing,
38 dentistry, dental hygiene, dental assisting, optometry,
39 speech pathology, audiology, occupational therapy,
40 occupational therapy assisting, respiratory care,
41 pharmacy, cosmetology arts and sciences, barbering,
42 social work, dietetics, marital and family therapy or
43 mental health counseling, massage therapy, mortuary
44 science, athletic training, acupuncture, nursing
45 home administration, hearing aid dispensing, or sign
46 language interpreting or transliterating, or shall not
47 practice as a physician assistant or as a direct care
48 professional, unless the person has obtained a license
49 for that purpose from the board for the profession.

50 Sec. 96. Section 147.13, Code 2011, is amended by

1 adding the following new subsection:

2 NEW SUBSECTION. 24. For direct care professionals,
3 the board of direct care professionals.

4 Sec. 97. Section 147.14, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. x. For the board of direct care
7 professionals, a total of eleven members, six of whom
8 are direct care professionals who represent diverse
9 settings and populations served, two members of the
10 public, one registered nurse who serves as a direct
11 care instructor, one human services professional who
12 serves as a direct care instructor, and one licensed
13 nursing home administrator.

14 Sec. 98. Section 147.74, Code 2011, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 24. A direct care professional
17 certified under chapter 152F and this chapter may use
18 the following:

19 a. A direct care professional certified as a
20 direct care associate may use the title "direct care
21 associate" or the letters "D.C.A." after the person's
22 name.

23 b. A direct care professional certified as a
24 community living professional may use the title
25 "community living professional" or the letters "C.L.P."
26 after the person's name.

27 c. A direct care professional certified as a
28 personal support professional may use the title
29 "personal support professional" or the letters "P.S.P."
30 after the person's name.

31 d. A direct care professional certified as a
32 health support professional may use the title "health
33 support professional" or the letters "H.S.P." after the
34 person's name.

35 e. A direct care professional certified with a
36 specialty endorsement may use the title or letters
37 determined by the specialty endorsement entity and
38 approved by the board of direct care professionals.

39 f. A direct care professional who complies with
40 federal nurse aide requirements pursuant to 42 C.F.R. {
41 483.152 may use the title "certified nursing assistant"
42 or the letters "C.N.A." after the person's name.

43 Sec. 99. Section 147.80, subsection 3, Code 2011,
44 is amended to read as follows:

45 3. The board of medicine, the board of pharmacy,
46 the dental board, ~~and~~ the board of nursing, and
47 the board of direct care professionals shall retain
48 individual executive officers, but shall make
49 every effort to share administrative, clerical, and
50 investigative staff to the greatest extent possible.

1 Sec. 100. Section 147.88, Code 2011, is amended to
2 read as follows:

3 147.88 Inspections and investigations.

4 The department of inspections and appeals may
5 perform inspections and investigations as required by
6 this subtitle, except inspections and investigations
7 for the board of medicine, board of pharmacy, board of
8 nursing, ~~and~~ the dental board, and the board of direct
9 care professionals. The department of inspections
10 and appeals shall employ personnel related to the
11 inspection and investigative functions.

12 Sec. 101. Section 272C.1, subsection 6, Code 2011,
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. ag. The board of direct care
15 professionals, created pursuant to chapter 147.

16 Sec. 102. TRANSITION PROVISIONS.

17 1. An individual providing direct care services
18 on or before January 1, 2014, who is subject to the
19 certification requirements of this division of this
20 Act, may continue providing direct care services
21 while completing certification as required under
22 this division of this Act. The board of direct
23 care professionals shall adopt rules to provide that
24 certification requirements for an individual subject to
25 the transition process are based on consideration of
26 previous training, employment history, and experience,
27 and require such individuals to complete the
28 requirements for direct care associate certification
29 within the time frame determined by rule of the board.

30 2. An individual who is registered on or before
31 January 1, 2014, on the Iowa direct care worker
32 registry established by the department of inspections
33 and appeals, is deemed to meet the certification
34 requirements for a health support professional under
35 this division of this Act.

36 3. Notwithstanding sections 147.14 and 147.16,
37 for the initial board of direct care professionals,
38 the governor may appoint, subject to confirmation by
39 the senate, in lieu of the six members required to be
40 direct care professionals and the two members required
41 to be direct care instructors, members with experience
42 and expertise that is substantially equivalent to
43 the professional requirements for a direct care
44 professional or direct care instructor, as applicable.

45 Sec. 103. IMPLEMENTATION. The provisions of this
46 division of this Act shall be implemented as follows:

47 1. The sections of this division of this Act
48 relating to the board of direct care professionals
49 including sections 152F.1 and 152F.5, as enacted in
50 this division of this Act; sections 10A.402, 135.11A,

H-8459

Page 76

1 135.31, 147.13, 147.14, 147.80, 147.88, and 272C.1, as
2 amended in this division of this Act, and as specified
3 in the transition provisions; and the section of this
4 division of this Act providing transition provisions
5 relating to the board shall be implemented so that a
6 board of direct care professionals is appointed no
7 later than December 15, 2012.

8 2. The sections of this division of this Act
9 relating to requirements for certification of direct
10 care professionals including sections 152F.2, 152F.3,
11 152F.4, and 152F.6, as enacted in this division of this
12 Act; and sections 147.1, 147.2, and 147.74, as amended
13 in this division of this Act, shall be implemented so
14 that the requirements are applicable beginning no later
15 than January 1, 2014.

16 Sec. 104. FUNDING PROVISIONS.

17 1. The department of public health shall limit the
18 indirect service charge for the board of direct care
19 professionals to not more than fifteen percent.

20 2. It is the intent of the general assembly
21 that the board of direct care professionals be
22 self-sustaining by January 1, 2017.

23 Sec. 105. EFFECTIVE UPON ENACTMENT. This division
24 of this Act, being deemed of immediate importance,
25 takes effect upon enactment.>

26 2. Title page, line 2, after <appropriations,> by
27 inserting <making penalties applicable,>

By HEATON of Henry

H-8459 FILED APRIL 17, 2012

SENATE FILE 430

H-8460

1 Amend the amendment, H-8270, to Senate File 430,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 16 through 32.

5 2. By striking page 1, line 46, through page 2,
6 line 18, and inserting: <<

7 1. An Iowa public information board is created
8 consisting of nine members appointed by the governor,
9 subject to confirmation by the senate. No more than
10 three members appointed shall be representatives from
11 the media including newspapers and no more than three
12 members appointed shall be representatives of cities,
13 counties, and other political subdivisions of the
14 state.>>

By ROGERS of Black Hawk

H-8460 FILED APRIL 17, 2012

SENATE FILE 430

H-8463

- 1 Amend Senate File 430, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, line 4, by striking <four> and inserting
- 4 <five>
- 5 2. Page 9, line 25, after <by the> by inserting
- 6 <executive>
- 7 3. By renumbering as necessary.

By ROGERS of Black Hawk

H-8463 FILED APRIL 17, 2012

SENATE FILE 2284

H-8461

- 1 Amend the amendment, H-8458, to Senate File 2284,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 4, line 10, by striking <a.>
- 5 2. Page 4, by striking lines 12 through 15.
- 6 3. By renumbering as necessary.

By CHAMBERS of O'Brien

H-8461 FILED APRIL 17, 2012

SENATE FILE 2284

H-8462

- 1 Amend the amendment, H-8458, to Senate File 2284,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 10, line 25, after <284.3,> by inserting
- 5 <284.4,>

By CHAMBERS of O'Brien

H-8462 FILED APRIL 17, 2012

Fiscal Note

Fiscal Services Division



SF 2284 – Education Reform (LSB 5398H8458)
Analyst: Shawn Snyder (Phone: 515-281-7799) (shawn.snyder@legis.state.ia.us)
Fiscal Note Version – As Amended by **H-8458**

Description

SF 2284 provides broad reforms to the Iowa public education system.

Fiscal Impact Summary

The following table provides a summary of the estimated fiscal impact of **SF 2284** as amended by **H-8458**. Division X (Third Grade Literacy) will have additional costs not reflected in the table and those costs will be based on an appropriation by the General Assembly. The estimated net General Fund impact is an increase in expenditures of \$9.0 million in FY 2013, \$10.3 million in FY 2014, and \$10.5 million in FY 2015. An analysis of each Division of the Bill is provided in the following table.

Estimated General Fund Fiscal Impact of SF 2284 (As Amended by H-8458)				
Div.	Education Reform Provision	FY 2013	FY 2014	FY 2015
I	Competency-Based Education Task Force	\$ 100,000	\$ 0	\$ 0
II	Core Curriculum	1,000,000	1,000,000	1,000,000
II	Core Curriculum - Study	50,000	0	0
II	Remediation Council	0	0	0
III	Teacher and Administrator Performance*	1,000,000	1,000,000	1,000,000
III	Statewide Educator Evaluation System Task Force	50,000	0	0
III	Teacher Perf., Comp., and Career Dev. Task Force	50,000	0	0
IV	Online Learning	1,500,000	1,500,000	1,500,000
V	Class Sharing Agreements	0	1,500,000	1,650,000
V	AP and Iowa Online Course Weighting	0	47,000	52,000
VI	School Instructional Time Task Force	50,000	0	0
VII	Assessment - High School Exit Exams	2,000,000	2,000,000	2,000,000
VII	Assessment - Value Added Assessment System	1,500,000	1,500,000	1,500,000
VII	Assessment - Kindergarten Readiness*	0	0	0
VII	Assessment - College Readiness	1,400,000	1,400,000	1,400,000
VIII	National Board for Professional Teaching Standards Awards	140,000	245,000	375,000
IX	Educator Employment and Professional Development Matters	0	0	0
X	Third Grade Literacy*	0 ¹	0 ¹	0 ¹
XI	Home Rule Authority	70,000	35,000	0
XII	Online Learning Interim Study	0	0	0
XIII	AP Performance Funding	0	0	0 ²
XIV	Professional Service and Guidance Counselors	55,000	55,000	55,000
XV	Training, Preparation, and Licensure Provisions	0	0	0
XVI	Kindergarten Attendance Requirement	0	0	0
Increased General Fund Expenditures:		\$8,965,000	\$10,282,000	\$10,532,000

* Indicates mandates in addition to the General Fund impacts that may have potential cost increases to school districts and area education agencies.

1. Division requires repurpose of Early Intervention Supplement fund for the READ initiative. Also, the Division establishes the Iowa Reading Research Center and specifies it is subject to an appropriation by the General Assembly.

2. Initiative is estimated to have a cost impact in FY 2015; however, costs will be based on the amount of funding appropriated by the General Assembly.

This fiscal note also provides cost estimates of State mandates for provisions within this Bill. Local fiscal impact analysis is provided in Divisions where the Legislative Services Agency (LSA) has identified potential increased costs to school districts and area education agencies (AEAs).

Assumptions and Fiscal Impacts by Division

Division I – Competency-Based Instruction

Division I creates a competency-based instruction task force and requires the task force to submit reports with findings and recommendations by January 13, 2013, and November 15, 2013. The Division is effective on enactment.

Assumptions:

The Department of Education will require additional funding for the costs associated with providing additional support for the competency-based instruction task force for FY 2013.

Fiscal Impact:

The estimated impact is an increase in FY 2013 General Fund expenditures of \$100,000 for the costs associated with the task force.

Division II – Core Curriculum

Division II establishes the core curriculum framework and core content standards advisory council that is required to meet at least quarterly. References a core curriculum framework to be developed and aligned to core curriculum standards. Establishes a remediation council, and requires the Department to provide support to the council. Requires the Department of Education to submit a report with findings and recommendations by November 15, 2012, that will examine the core curriculum and the skills necessary to prepare students for the future.

Assumptions:

Additional costs will be required and include 2.0 FTE positions for the Department of Education and 8.0 external FTE positions (this may include AEAs). The Department will be required to provide additional support for the advisory council and required report.

Fiscal Impact:

The estimated cost of this provision will be \$1.1 million annually beginning in FY 2013. The Department of Education indicates that desired implementation as proposed by the Department will increase the cost to \$2.5 million annually and require a total of 5.0 FTE positions within the Department.

Division III – Teacher and Administrator Performance

Division III requires the Department of Education to develop and adopt rules pertaining to educator standards and educator evaluation systems and creates a statewide educator evaluation task force and a teacher performance, compensation, and career development task force. Specifies that if the General Assembly fails to enact legislation during the 2013 Legislative Session that aligns with the statewide educator evaluation task force recommendations that the sections pertaining to teaching standards and evaluation systems will be repealed beginning in FY 2014.

Assumptions:

The LSA estimates the Department will require 1.0 FTE position and the amounts detailed in the fiscal impact section for development, data systems, and training for the educator evaluation provision. Additional funding will be required for the costs associated with the task force for FY 2013.

Fiscal Impact:

The estimated cost of this provision will be \$1.0 million annually beginning in FY 2013. Additionally, there will be an increase in FY 2013 General Fund expenditures of \$100,000 for the costs associated with the task forces.

Estimated Local Impact:

The estimated fiscal impact to school districts and AEAs as a result of increased educator evaluations is currently unknown. Requiring annual educator reviews by FY 2013 may increase the amount of school district staff needed to meet the requirement. Based on the current review system, an average of 12.6 hours is required per review for experienced teachers and 17.1 hours for new teachers, the LSA estimates that the number of additional annual reviews for full-time teachers will total over 21,000 hours. Based on the average number of contract days for assistant principals, the LSA estimates that an additional 147.3 FTE assistant principals may be required statewide to administer the additional evaluations required at a cost of approximately \$15.0 million. This estimated cost does not account for teachers that are on intensive assistance plans that may require additional evaluation time. However, any additional costs may be absorbed by expanding current administrative staff assignments. Beginning in FY 2014, the estimated fiscal impact to school districts and AEAs is unknown and will be predicated based on the type of evaluation system developed and implemented.

Division IV – Online Learning

Division IV requires the Department to develop and establish an online learning program model. Specifies that not more than 0.18% of students statewide and not more than 1.0% of a sending district's enrollment can be enrolled in courses where the content is delivered primarily over the Internet. Establishes an Iowa learning online initiative within the Department. Specifies that is the intent of the General Assembly to encourage and support the establishment of a center for excellence for online learning at the University of Northern Iowa.

Assumptions:

The Department will require an FTE position and additional resources to develop courses and systems for the online program model.

Fiscal Impact:

The estimated cost of this provision will be \$1.5 million annually beginning in FY 2013.

Division V – Class Sharing Agreements

Division V expands the courses that are eligible for school aid formula supplementary weighting. The LSA estimates class sharing agreements will increase supplementary weighting funding generated through the school aid formula beginning in FY 2014. Full-year Project Lead the Way (PLTW) courses are currently not eligible to receive supplementary weighting. Additionally, the Division permits that students enrolled in a career and technical course to be exempt from proficiency standards required to be eligible to enroll in the course. Adds Iowa advanced placement academy courses and Iowa learning online initiative courses as eligible courses to receive virtual classes that generate supplementary weighting.

Assumptions:

Based on the October 2011 certified enrollment data, courses impacted by this Division had a supplementary weighting totaling 267.37 (259.24 for PTLW courses and 8.13 for the added virtual courses). The LSA assumes this weighting will increase by 10.0% annually. Additionally, the LSA is assuming a 0.0% allowable growth rate for FY 2014 and FY 2015.

Fiscal Impact:

The estimated General Fund impact will be an increase in State school aid of \$1.5 million in FY 2014 and \$1.6 million in FY 2015. Additionally, local property taxes will increase for districts with students receiving the supplementary weighting. Statewide, the estimated property tax increase will be \$200,000 per year in FY 2014 and FY 2015.

Division VI – School Instructional Time Task Force

Division VI requires the director of the Department of Education to appoint members to a school instructional time task force. The task force will review and submit findings and recommendations pertaining to school instructional time by October 15, 2012.

Assumptions:

The Department of Education will require additional funding for the costs associated with providing staff and services for the task force for FY 2013.

Fiscal Impact:

The estimated impact is an increase in FY 2013 General Fund expenditures of \$50,000 for the costs associated with the task force.

Division VII – Assessments

Division VII specifies changes and additions to student assessment requirements.

Assumptions:

- The Department will contract with a vendor in the development of high school exit exams and will administer the exams at no cost to the school districts. Costs are assumed to be ongoing, but may decrease over time.
- The Department will require a 0.5 FTE position and additional funds to administer, provide analysis, modify current data systems, and provide training for the value-added assessment system provision.
- Each school district will be required to administer a kindergarten readiness exam to resident four-year-old prekindergarten students enrolled in the district. The estimate assumes approximately 24,200 students will take the test annually at a cost of \$15 per test.
- The Department has indicated that 94.0% of tenth graders are currently being assessed. Requiring all tenth graders to take the Iowa assessment in FY 2013 and FY 2014 will have a minimal fiscal impact.
- The assumed cost for the college entrance exam is \$35 beginning in FY 2013. The assumed cost for career readiness assessment to assess reading for information, locating information, and applied mathematics totals \$23.50. The Department of Education is required to cover the costs of these examinations and assessments for the eleventh grade students. For this estimate, the LSA is assuming 38,000 eleventh grade students take the college entrance exam. Costs will be reduced pending the number of students that elect to take the career readiness assessments instead of the college entrance exam.

Fiscal Impact:

- The estimated cost of the development and administration of the high school exit exams is \$2.0 million each fiscal year beginning in FY 2013.
- The estimated fiscal impact of the value-added assessment system provision is an increased cost annually of \$1.5 million beginning in FY 2013.
- The estimated fiscal impact of the kindergarten readiness assessment provision will be incurred by local school districts with no additional cost to the General Fund.
- The estimated cost of administering the assessments to all eleventh grade students is not expected to exceed \$1.4 million annually.

Estimated Local Impact:

The estimated fiscal impact of the kindergarten readiness assessment provision is an increased cost annually of \$363,000 beginning in FY 2013. The costs will be greater if additional students are required to take the assessment, with a maximum cost of \$600,000 annually (if all students entering kindergarten are required to take the assessment).

Division VIII – National Board for Professional Teaching Standards Awards

This Division eliminates the end dates for the National Board for Professional Teaching Standards certification one-time fee reimbursement awards and the annual awards. The eligibility for the annual award is 10 years for the years the individual maintains a valid certificate and remains employed as a public school teacher in Iowa, whichever time period is shorter.

Assumptions:

- The estimate assumes a backlog of 20 certified teachers evenly distributed through 2009-2012. The backlog of certified teachers will require one-time fee reimbursements and annual awards brought up to date.
- Reimbursements and annual awards will continue indefinitely for teachers applying for certification.
- New certifications will number 52 annually for FY 2013, FY 2014, and FY 2015, based on the average annual certifications from 2000-2008.

Fiscal Impact:

The estimated cost for reimbursement and annual awards will be \$140,000 in FY 2013, \$245,000 in FY 2014, and \$375,000 in FY 2015. Costs are estimated to be ongoing in future fiscal years.

Division IX – Educator Employment and Professional Development Matters

This Division provides changes to professional development for educators and addresses probationary periods and due process for teachers and administrators.

Fiscal Impact:

There is no anticipated fiscal impact.

Division X – Third Grade Literacy

This Division provides new provisions pertaining to third grade literacy and retention requirements. Establishes an Iowa reading research center (subject to an appropriation by the General Assembly) and the Reading Enhancement and Acceleration Development (READ)

initiative. Specifies that school districts are not required to retain third grade students that are not proficient in reading until FY 2017.

Assumptions:

- The Department will require 1.0 FTE position to administer the reading research center. Funding for the position will be provided through an appropriation for the research center.
- School districts will be required to use early intervention supplemental funds generated through the school aid formula to fund the READ initiative. The FY 2013 early intervention supplement generated through the school aid formula will total approximately \$30.3 million. Additionally, 42 school districts had FY 2011 ending fund balances designated for early intervention totaling \$1.7 million.

Fiscal Impact:

- Funding for the reading research center will be contingent on an appropriation by the General Assembly, and that amount is currently unknown. The Governor recommended an appropriation of \$2.0 million for the Iowa reading research center.
- No additional funding for the READ initiative is provided in the Bill. Districts are required to use available early intervention supplement funds to meet the requirements of the READ initiative while other programs included in the early intervention supplement will have funding reduced. In addition to requiring school districts to use early intervention supplement funds for the costs of the READ initiative, the Governor also recommended a \$3.0 million General Fund appropriation.

Estimated Local Impact:

The estimated fiscal impact to local school districts is unknown. Districts will be required to fund costs of the READ initiative with funds currently designated for the Early Intervention Block Grant Program. Statewide, school districts will receive \$30.3 million in FY 2013 from the early intervention supplement generated through the school aid formula.

Additionally, 42 school districts had FY 2011 ending fund balances designated for early intervention totaling \$1.7 million (an average of approximately \$40,000 per district with an ending fund balance greater than \$0.0, and an average of \$4,750 when all districts are included). Any costs of the READ initiative that exceed the amount a school district receives from the early intervention supplement will be funded through other allowed school district funds. The Governor's proposal identified \$5.0 million that was to be repurposed from the Early Intervention Supplement for the READ initiative.

Division XI – Home Rule Authority

This Division grants school districts home rule power and authority. The Division specifies that school districts cannot increase any tax without express authorization of the General Assembly.

Assumptions:

- School district tax levies have explicit uses and school district fund usage is specifically defined and directed in Iowa Code; the LSA assumes that funds will be used for designated purposes. However, under home rule, school districts may be able to more broadly define program areas that require designated funds. Although the School Budget Review Committee (SBRC) sets a maximum limit for each school district's annual cash reserve levy, not all school districts levy for the maximum amount. Under more broadly defined program areas, there may be potential for school districts to levy a higher cash reserve levy to access spending authority designated for specific program areas and still be within the cash reserve levy limits specified by the SBRC.
- Under home rule, school districts may charge fees that are not strictly prohibited by Iowa Code. This could include fees that would be considered miscellaneous income and deposited in a school district's general fund.

- The Department of Education will be charged with reviewing and proposing amendments to Iowa Code and rewriting administrative rules in response to enactment of this Division. The Department will require an additional FTE position to implement the changes in FY 2013 and a 0.5 FTE position in FY 2014.

Fiscal Impact:

- The estimated fiscal impact of this Division for school districts cannot be determined. The LSA estimates that there will be no increased levy authority as a result of this Division, but is uncertain how this may impact each school district's decision to levy cash reserve. However, there may be school district fee increases not specifically prohibited under Iowa Code, but that amount is unknown.
 - An additional FTE position for the Department of Education for duties related to proposing amendments to Iowa Code provisions and rewriting administrative rules is estimated to increase State General Fund expenditures by approximately \$70,000 in FY 2013 and \$35,000 in FY 2014.
-

Division XII – Online Learning Interim Study

Requests the Legislative Council establish an online learning interim study committee. The committee will submit findings and recommendations in a report to the General Assembly by December 14, 2012.

Fiscal Impact:

The estimated cost for the interim study will be minimal.

Division XIII – Advanced Placement Performance Funding

This Division provides that beginning in FY 2015, if funds are appropriated by the General Assembly, school districts with students that have received a score of three or higher on an advanced placement exam receive a prorated funding amount based on the appropriated amount and the total amount of students receiving a three or greater on the exam.

Fiscal Impact:

Any fiscal impact will be based on funds appropriated for the initiative beginning in FY 2015.

Division XIV – Professional Service and Guidance Counselors

This Division requires the Department of Education to consult with other entities regarding professional service and guidance counselors.

Assumptions:

The Department of Education will require an additional 0.5 FTE position and additional funding for the costs associated with providing support for the initiative beginning in FY 2013.

Fiscal Impact:

The estimated impact is an increase of \$55,000 beginning in FY 2013 for the costs associated with adding a 0.5 FTE position and other support.

Division XV – Training, Preparation, and Licensure Provisions

This Division sets standards and procedures for training programs for school administration managers. Allows practitioner preparation programs to use a valid and reliable subject-area specific, performance-based assessment for preservice teacher candidates, centered on

student learning. Also, establishes an alternative licensure and endorsement for teachers and administrators.

Assumptions:

Any additional duties will be absorbed with current staff.

Fiscal Impact:

No fiscal impact.

Division XVI – Kindergarten Requirement

This Division requires that a student enrolled in a school district and that is age five by September 15 be considered of compulsory attendance age.

Fiscal Impact:

No fiscal impact.

Division XVII – State Mandate

This Division requires any additional costs resulting from this Bill to local school districts to be paid for through funds from State aid generated from the school aid formula.

Fiscal Impact:

The LSA has identified that Division III (Teacher and Administrator Performance), Division VII (Kindergarten Assessment), and Division X (Third Grade Literacy) may have additional costs that may result with enactment of this Bill. However, the total amount of costs is currently unknown and may vary between school districts and AEAs.

- Division III: Costs are currently unknown. Based on the current evaluation process, the LSA estimates the cost of annual teacher evaluations to be approximately \$15.0 million. However, the evaluation systems approved for use beginning in FY 2014 and costs for implementing those systems are currently unknown.
- Division VII: Implementation cost is estimated at a minimum of \$363,000 each fiscal year. Costs could be as much as \$600,000 annually.
- Division X: Costs are currently unknown. Costs will be contingent on the number of students deemed not proficient in reading in kindergarten through third grade, according to teacher observations or assessments according to rules adopted by the State Board of Education. Costs will increase depending on the strategies developed by the school districts, including but not limited to: small group instruction; reduced teacher-student ratios; more frequent progress monitoring; tutoring or mentoring; extended school day, week, or year; or summer reading programs. The Governor's proposal identified \$3.0 million that was to be repurposed from the Early Intervention Supplement for the READ initiative and \$5.0 million in a new appropriation.

Sources

Iowa Department of Education
Iowa Association of School Boards
Iowa Department of Management
ACT
LSA, Fiscal Note for [HF 260](#)
LSA calculations and analysis

/s/ Holly M. Lyons

April 17, 2012

The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 2470 – Agricultural Equipment Sales Tax Exemption (LSB 5629HV)
Analyst: Shawn Snyder (Phone: 515-281-7799) (shawn.snyder@legis.state.ia.us)
Fiscal Note Version – New

Description

House File 2470 expands the exemption of sales and use taxes imposed on machinery and equipment sold for farm use. The Bill specifies that machinery and equipment qualifies for the exemption if it is manufactured for use in agricultural production and is manufactured to be pulled by, or attached to, self-propelled farm machinery and equipment.

Background

Currently, the list of farm and machinery equipment that is exempt from sales tax for agricultural production purposes includes; tractors, combines, land preparation machinery, dairy farm and barn equipment, irrigation equipment, planters, manure spreaders, wagons, and balers.

House File 2470 would expand the list to include (but is not limited to); stall cleaners, pallet forks, rock buckets, root grapples, four-in-one tractor buckets, debris blowers, rotary brooms, front blades, snow plows, and turf renovators.

Assumptions

- The Department of Revenue matched data with the Department of Workforce Development to identify Iowa farm implement dealers. Based on that data match, 373 businesses were identified in Iowa with taxable sales totaling approximately \$328.0 million.
- The Department of Revenue has estimated taxable items impacted by **HF 2470** account for 10.0% of the taxable sales of the 373 Iowa farm implement dealers.
- Taxable sales growth rates are estimated at 3.5% in FY 2012, 3.0% in FY 2013, 2.9% in FY 2014, 4.0% in FY 2015, and 4.2% in FY 2016.
- The State sales tax rate is 6.0% with 5/6th deposited in the State General Fund and 1/6th deposited in the Secure an Advanced Vision for Education (SAVE) Fund.
- The statewide Local Option Sales Tax (LOST) rate is 0.87%.

Fiscal

The following table provides the estimated fiscal impact of **HF 2470**. State sales tax will be reduced by \$2.1 million in FY 2013 with reductions in General Fund revenue totaling \$1.7 million and SAVE revenue totaling \$0.3 million. The reduction amounts will increase slightly in future fiscal years.

Fiscal Impact of HF 2470 (\$ in millions)				
	Reduction in State Sales Tax	Reduction to General Fund	Reduction to SAVE Fund	Reduction to LOST
FY 2013	\$ 2.1	\$ 1.7	\$ 0.3	\$ 0.3
FY 2014	2.2	1.8	0.4	0.3
FY 2015	2.2	1.9	0.4	0.3
FY 2016	2.3	1.9	0.4	0.3

Sources

Iowa Department of Revenue
LSA calculations and analysis

/s/ Holly M. Lyons

April 17, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



SF 2328 – Revenue Department Technical Bill (LSB 5305SV)
Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)
Fiscal Note Version – As passed by the Senate

Description

Senate File 2328 makes technical corrections to Iowa's revenue laws. The Bill has one provision with an identified fiscal impact. That provision requires any permit holder operating a roll-your-own (RYO) cigarette machine to pay to the Department of Revenue a tax equal to 45.0% of the per cigarette tax levied on cigarettes, recognizing that a tobacco tax is already paid on the tobacco used to assemble the cigarettes. The current cigarette tax is 6.8 cents per cigarette. This amendment would levy a tax equal to 3.06 cents on each cigarette dispensed by a machine. It would have no impact on the tobacco tax levied on the tobacco used as an input to the machine. This change is effective July 1, 2012.

Assumptions

- To produce one carton (200) of cigarettes, a RYO machine requires 8 ounces of loose tobacco.
- RYO machines produce the equivalent of 50 cartons of cigarettes every day of the year.
- There are currently five machines operating in the State with six more expected to be added by the start of FY 2013. It is assumed that the machine count will increase by five each year beginning in FY 2014.
- With the tax change, cigarette purchases made through RYO businesses or made through traditional retail purchases will produce the same overall tax revenue.
- The March 2012 Revenue Estimating Conference estimate for FY 2013 General Fund revenue estimate assumed the introduction and expansion of RYO machines and therefore assumed a General Fund revenue reduction associated with the use of RYO machines.

Fiscal Impact

The cigarette tax change contained in the Bill will increase net General Fund revenue by the following amounts.

General Fund Net Revenue Increase (in millions)		
	Cigarette and Sales Tax	
FY 2012	\$	0.00
FY 2013		1.29
FY 2014		1.88
FY 2015		2.47
FY 2016		3.04

Source

Department of Revenue

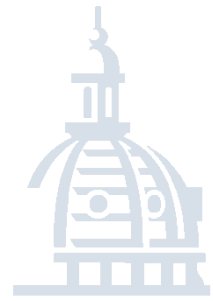
/s/ Holly M. Lyons

April 16, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 2471 – Supplier Income Tax Exemption (LSB 5279HZ)

Analyst: Jeff Robinson (Phone: 515-281-4614) (jeff.robinson@legis.state.ia.us)

Fiscal Note Version – New

Description

House File 2471 creates an income tax exemption for corporate income earned by S-Corporation and C-Corporation businesses that are, at least in part, suppliers to Iowa anchor manufactures. The exclusion is equal to the Iowa apportioned income that exceeds the company's Iowa apportioned income in a base year. The base year calculation grows 5.0% per year with each additional year's exemption calculated from the base year income incremented by 5.0% per tax year. The exclusion is available for tax years beginning on or after January 1, 2012. The Economic Development Authority (EDA) may not issue new certificates after January 1, 2015.

In the Bill:

- Certified Supplier means a business certified by the EDA. The EDA is required to certify all suppliers that:
 - Manufacture tangible personal property at one or more facilities in Iowa and derive more than 10.0% of gross sales of tangible personal property from one facility in Iowa through sales to one or more Iowa anchor manufacturers.
 - Provide a statement from one anchor manufacturer that the manufacturer meets the definition of an anchor manufacturer.
 - Have at least 10.0% of total payroll located in Iowa or the supplier employs at least 50 employees at a facility in Iowa.
 - Do not also qualify as an anchor manufacturer.
 - Make all of their sales to anchor manufactures at arm's length.
- Anchor Manufacturer is defined as a business that manufactures tangible personal property at a facility in Iowa and exports at least 50.0% of the tangible personal property produced at the anchor manufacturer's Iowa facility to markets outside of Iowa.

Each certified supplier will continue to benefit from the exclusion as long as the supplier has Iowa apportioned income in excess of the base year Iowa apportioned income, incremented by 5.0% each tax year. For calculation of the taxable income exemption, net income that is the result of a merger or acquisition that occurs after the base year is established for the business is not included. The Bill applies retroactively to tax years beginning on or after January 1, 2012. The EDA may not issue new certificates after January 1, 2015, so the Bill impacts only tax years 2012, 2013, and 2014.

Background

The net income of C-Corporations is taxed by Iowa at the business entity level, while S-Corporations are generally taxed through the individual income tax returns of the owners. The business structure for both entity types is defined through the federal Internal Revenue Code (IRC).

Many provisions of the Bill are difficult or impossible to estimate. The data necessary is not available. The Department of Revenue provided a fiscal impact estimate based on a portion of the universe of potential beneficiaries from this proposed tax change. The universe includes only companies with facilities that are currently operating in Iowa.

Using the most recent three years of C-Corporation tax returns available, the Department of Revenue provided an estimate based on manufacturing C-Corporations with Iowa apportioned income growth sufficient to benefit from the proposal. The Department's estimate should be considered a maximum for the subset of companies, but the estimate does not include companies that are not categorized as manufacturers and it does not include S-Corporations.

The Bill has several broad definitions that make developing a reasonable estimate of the fiscal impact of the Bill problematic.

Manufacturing includes "combining of different materials" and "extracting and recovering natural resources." This definition could include biodiesel blending and production, ethanol blending and production, vehicle or heating fuel delivery, electricity production (including wind), and perhaps the delivery of natural gas.

An anchor manufacturer is defined as any business that exports at least 50.0% of what it produces at a facility in Iowa to out-of-state buyers.

- There is no requirement that an anchor manufacturer be of a specific employment or sales size. An anchor manufacturer could be a C-Corporation with 1,000 employees or it could be a business with one employee.
- There is no requirement that the tangible personal property purchased from a certified supplier be included by the anchor manufacturer as part of tangible personal property sold and exported out-of-state.

A qualifying supplier must supply at least 10.0% of the tangible personal property the supplier produces at an Iowa facility to an anchor manufacturer. This requirement also means that up to 90.0% of what that facility produces may be sold elsewhere in the State, and it means that anything else that qualified supplier produces at other facilities could be unrelated to supplying an anchor manufacturer. As long as the business meets the production requirements at one facility and also meets the employment thresholds, all Iowa-apportioned income growth by the business that exceeds the 5.0% growth requirement will be exempt from Iowa business income tax and this will be true even if the growth is not related to supplying an Iowa anchor manufacturer.

A certified supplier could also increase its Iowa-apportioned income by under-bidding another Iowa-based supplier to an Iowa anchor manufacturer, a situation that could increase the net income of the business but not result in any additional Iowa-based production.

Fiscal Impact

The Department of Revenue calculates that the maximum impact of the Bill, for C-Corporations only, will result in a decrease of tax revenue to the state of \$44.52 million over the three tax years. To account for three provisions that limit the types of transactions that qualify (arm's length, merger/acquisition restrictions, and requiring that certified suppliers not be anchor manufacturers), the Department maximum is reduced for this estimate by 30.0% to \$31.16 million.

The Department of Revenue was unable to provide a fiscal estimate for S-Corporations. The Department was able to provide statistics showing that the number of S-Corporation

manufacturing firms in Iowa is approximately 63.0% of the number of C-Corporation manufacturing firms. Multiplying the \$31.16 million times 1.63, yields a three-year total of \$50.80 million.

The DR estimates that approximately 57.0% of identified C-Corporation and S-Corporation manufacturers meet at least one of the employment threshold requirements in the Bill. Applying 57.0% to the \$50.80 million yields \$28.84 million.

However, the above math assumes two things:

- All C-Corporations and S-Corporations categorized as manufacturers are certified suppliers to anchor manufacturers.
- Only businesses categorized as manufacturers will qualify as certified suppliers to anchor manufacturers.

In practical impact, neither number one nor two above will be true, but they will offset. Some percentage of Iowa manufacturers will not qualify as certified suppliers because they will not provide at least 10.0% of the tangible property they produce at a single facility to a qualified anchor manufacturer. But also, some businesses that are not categorized as manufacturers will in fact meet the 10.0% supplier threshold and their income subject to Iowa tax could be reduced.

The Bill applies only to tax years 2012, 2013, and 2014. After 2014, the EDA and the DR are required to consult with the Chairpersons of the Economic Growth and Rebuild Iowa Committees of the House and Senate.

The estimated reductions in General Fund revenue associated with the income tax exemption created in the Bill are:

- FY 2013 = \$ - 4.90 million
- FY 2014 = \$ - 8.47 million
- FY 2015 = \$ -10.57 million
- FY 2016 = \$ - 4.90 million

In addition to decreasing State General Fund revenue, tax law changes that lower S-Corporation taxable income also reduces the amount of revenue raised by the local option income surtax for schools. Over the four impacted fiscal years, the reduction is projected to average \$90,000 per year.

Sources

Department of Revenue
Legislative Services Agency analysis

/s/ Holly M. Lyons

April 16, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 675 – Mechanics Liens (LSB 2236HZ.1)

Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)

Fiscal Note Version – As Amended by Senate Amendment **H-8457**

Description

House File 675 relates to mechanics liens and the establishment of a State Construction Registry (SCR) for residential construction property.

The SCR is a centralized internet database maintained by the Secretary of State (SOS) that provides a central repository for the submission and management of preliminary notices and notices of commencement of work on all residential construction properties. The Bill requires a general contractor or owner-builder to submit a notice to the SOS or post a notice to the Registry to establish a mechanics lien. The SCR is required to be a publicly accessible centralized electronic database created and maintained by SOS.

The SOS is required to adopt rules for the creation and administration of the SCR. Fees for mechanics liens, preliminary notice filings, and notice of commencement are to be set by rule. The SCR is to be funded through the collection of fees deposited in the State Construction Registry Fund created within the SOS. The Bill eliminates the requirement that the clerk of court make an abstract of a claim for a mechanics lien and requires the SOS to record the date and hour of filing of a claim for a mechanics lien and to index every claim.

The Bill takes effect January 1, 2013.

Background

On average, approximately 3,400 Mechanics Liens are filed with county clerk of court offices within the Judicial Branch. The fee to file a lien is \$50 for total revenue of approximately \$170,000. The fee revenue is transferred directly to the General Fund. No funds are retained by the Judicial Branch for administrative costs.

Assumptions

- The Judicial Branch will continue to collect the fee revenue and deposit it in the General Fund for the first six months of FY 2013.
- Approximately 2,900 Notices of Commencement will be submitted to the SCR in FY 2013 and 5,700 in each subsequent fiscal year. The fee will be established at \$10.
- Approximately 5,700 Preliminary Notice Filings will be submitted to the SCR in FY 2013 and 11,400 in each subsequent fiscal year. The fee will be established at \$7.
- Approximately 570 Mechanics Lien Filings will be submitted to the SCR in FY 2013 and 850 in each subsequent fiscal year. The fee will be established at \$30.

Fiscal Impact

The SOS will collect approximately \$85,000 in lien fee revenue for FY 2013 and expend approximately \$138,000 for 1.4 FTE positions. The legislation does not provide funding for the expenses in excess of the revenue collected. For FY 2014, it is estimated that revenues will equal the estimated expenditure of \$162,000 for 1.9 FTE positions. The revenue collected will be used to fund the creation of the SCR including hardware, software, and information technology support.

[House File 675](#) will not have an impact on the courts.

General Fund revenues will decrease by an estimated \$85,000 in FY 2013 and \$170,000 in FY 2014 and subsequent fiscal years.

Source

Secretary of State

/s/ Holly M. Lyons

April 17, 2012

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
